

Award No. 5649
Docket No. DC-5762

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES LOCAL NO. 351
ILLINOIS CENTRAL RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of JOINT COUNCIL DINING CAR EMPLOYES' UNION, LOCAL 351, for and on behalf FLORZELL MADISON, third cook, on property of ILLINOIS CENTRAL RAILROAD COMPANY, that he be restored to service with seniority unbroken and accumulated and compensated for net wage loss suffered because of his dismissal from service by Carrier on or about September 23, 1949, in violation of Agreement and in abuse of discretion.

OPINION OF BOARD: The evidence of record discloses no ground for disturbing the action of the Carrier.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the evidence of record discloses no grounds for disturbing the action of the Carrier.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. Ivan Tummon
Acting Secretary

Dated at Chicago, Illinois, this 20th day of February, 1952.