

Award No. 8269
Docket No. MS-9672

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

RICHARD I. SARRAN

MISSOURI PACIFIC RAILROAD COMPANY (Gulf District)

STATEMENT OF CLAIM: Richard I. Sarran respectfully prays that he be granted an oral hearing and that after consideration and deliberation he have an award requiring Missouri Pacific Railroad Company to reinstate him to the same or substantially equivalent employment held at time of discharge with full seniority and other rights and back pay of the amount which he would have earned in such employment but for his discharge.

OPINION OF BOARD: Claimant Richard I. Sarran was dismissed from the service of the Carrier July 17, 1956, following an investigation as provided in Rule 27 of the controlling agreement.

He now petitions this Division to require his reinstatement, contending his discharge was wrongful and in violation of the Collective Bargaining Agreement under which he was employed.

Having carefully considered all of the Complainant's allegations; the transcript of investigation supplied by respondent Carrier, as well as Complainant's exceptions thereto, and other facts and circumstances revealed by the record, the Division finds and holds that Complainant's contention that he was wrongfully discharged is not supported by the record.

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 Employee involved in this dispute are respectively carrier and employee 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 Carrier did not violate the Agreement.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 10th day of March, 1958.