

Award No. 10643
Docket No. MS-12559

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

WARREN M. BARNETT
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM:

- A. Carrier officer John H. Kitson violated rule 18, (a).
- B. Carrier officer John H. Kitson unjustly treated Warren M. Barnett.

OPINION OF BOARD: A review of the transcript of the investigation held under Rule 18(k) on October 11, 1960, and other matters of record, show that Claimant was not unjustly treated, as alleged.

The Board further finds that the investigation was held in accordance with the request of Petitioner's representative.

Under these circumstances, the Board does not deem it necessary to comment upon other points raised by the parties.

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 Agreement was not violated.

AWARD

Claim denied.

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

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 15th day of June 1962.