

Award No. 14807
Docket No. TE-14658

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

TRANSPORTATION-COMMUNICATION EMPLOYEES UNION
(Formerly The Order of Railroad Telegraphers)

GULF, COLORADO AND SANTA FE RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Gulf, Colorado and Santa Fe Railway, that:

1. The Carrier violated the Agreement when it assessed the harsh and arbitrary discipline of thirty (30) demerits against the personal record of Mr. R. W. McBride on March 6, 1962.

2. Carrier shall now be required to remove these demerits from claimant's personal record.

OPINION OF BOARD: Inasmuch as the Carrier's action of dismissing Claimant McBride in a subsequent disciplinary proceeding was sustained by this Board in Award 14248 the issue in the present case has become moot. Accordingly, the claim will be dismissed.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

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;

That the claim will be dismissed.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of September 1966.

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