



Award No. 15842

Docket No. MS-16697

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Nicholas H. Zumas, Referee

PARTIES TO DISPUTE:

MR. JAMES ROHLOFF

**CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC
RAILROAD COMPANY**

STATEMENT OF CLAIM: That Mr. James Rohloff shall be fully reinstated as an employe of The Milwaukee Railroad. And, that Mr. R. P. Heinan shall henceforth follow the Rules agreed between the Brotherhood of Railway and Steamship Clerks and The Milwaukee Railroad.

OPINION OF BOARD: This record reveals that an investigation was held in this case as well as two appeal hearings and Petitioner chose not to attend any of them. The transcript of the investigation exhibits no invalid procedures. There is no proof that the conclusion of the Carrier in this docket based on the evidence was arbitrary or unfounded. The decision was not unreasonable under the facts in the light of Claimant's past record. Accordingly, this claim will be denied.

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 Employes involved in this dispute are respectively Carrier and Employes 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 6th day of October 1967.

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