

Award No. 12424

Docket No. 14027

**FIRST DIVISION
NATIONAL RAILROAD ADJUSTMENT BOARD**

39 South La Salle St., Chicago 3, Illinois

PARTIES TO DISPUTE:

ORDER OF RAILWAY CONDUCTORS

THE KANSAS CITY SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of conductor W. J. Lowery for each day lost, and record cleared, on account of four days' suspension for his alleged responsibility in connection with accident to Extra 531 Sth., Leesville yard, June 27, 1941.

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

The parties to said dispute waived hearing thereon.

The record does not contain a transcript of this investigation, nor does it show upon what charge discipline was assessed. It does not show that Conductor Lowery was negligent in the performance of his duties.

AWARD

Claim sustained.

**BY ORDER OF FIRST DIVISION
NATIONAL RAILROAD ADJUSTMENT BOARD**

**ATTEST: (Sgd.) T. S. McFarland
Executive Secretary**

Dated at Chicago, Illinois, this 3rd day of November, 1948.