

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**FOURTH DIVISION**

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**PARTIES TO DISPUTE:**

**EDWARD DOUGLASS**

**CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Wrongful discharge of Edward Douglass without cause or justification on or about March 5, 1948, and for compensation for time lost, and for reinstatement in his former position as Sergeant in the Special Agents' Department of Respondent. That he has never resigned his said position, but was discharged.

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

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

The parties to said dispute were given due notice of hearing thereon.

The powers of the National Railroad Adjustment Board are derived solely from statute. Section 3, First, (i) of the Railway Labor Act provides that disputes "shall be handled in the usual manner up to and including the Chief Operating Officer of the Carrier designated to handle such disputes." The record reveals that the claims in this docket have not been progressed on the property in accordance with Section 3, First, (i) of the Amended Railway Labor Act.

**AWARD**

Claims dismissed without prejudice.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Fourth Division

**ATTEST: R. B. Parkhurst**  
Secretary

Dated at Chicago, Illinois, this 10th day of May, 1949.