

The Second Division consisted of the regular members and in addition Referee Nicholas H. Zumas when award was rendered.

Parties to Dispute: ( System Federation No. 16, Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Carman)  
(  
( Norfolk and Western Railway Company

Dispute: Claim of Employees:

1. That Carrier unjustly assessed Carman P. E. Huntington a ten (10) day deferred suspension on July 22, 1974, as a result of investigation held May 21, 1974.
2. That Carrier be ordered to rescind discipline assessed Carman Huntington by removing the ten (10) day deferred suspension from his personal service record.

Findings:

The Second 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.

Parties to said dispute waived right of appearance at hearing thereon.


The facts and issues in this dispute are identical to that in our Award No. 7144, and the Board is governed accordingly.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest: Executive Secretary  
National Railroad Adjustment Board

By   
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 15th day of October, 1976.