

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

Parties to Dispute: (Brotherhood Railway Carmen of the United States
(and Canada
(
(St. Louis-San Francisco Railway Company

Dispute: Claim of Employees:

- (a) That the St. Louis-San Francisco Railway Company unjustly suspended Carman Apprentice Maurice King, Birmingham, Alabama permanently from service following the investigation on October 31, 1978.
- (b) That the St. Louis-San Francisco Railway Company restore Carmen Apprentice Maurice King to service with all seniority rights and vacation rights unimpaired.

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.

This is an appeal of discipline of termination assessed after formal investigation revealed that Carman Apprentice King had repeatedly failed to keep current with his correspondence course lessons prescribed in his training.

Under all the circumstances, we find that the discipline has accomplished its purpose and that Mr. King offers prospect of valuable service to Carrier. Accordingly, we order Claimant restored to duty without loss of seniority but without back pay. Mr. King is cautioned that this Board will not look kindly upon further delinquency of similar nature.

A W A R D

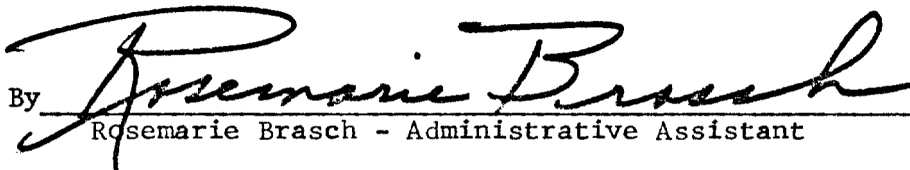
Claim sustained in conformity with foregoing findings.

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Award No. 8541
Docket No. 8282
2-SLSF-CM-'80

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 10th day of December, 1980.