

The Second Division consisted of the regular members and in addition Referee M. D. Lyden when award was rendered.

Parties to Dispute: { International Brotherhood of Electrical Workers
{ Southern Pacific Transportation Company

Dispute: Claim of Employees:

1. That under the current Agreement, Mechanical Department Electrician James E. Jordan was unjustly treated when he was suspended from service for a period of sixty (60) days on March 17, 1978, following investigation for alleged violation of portions of Rules 802 and 810 of the General Rules and Regulations of the Southern Pacific Transportation Company. Said alleged rule violation occurring from approximately 3:20 a.m. through approximately 12 noon on October 27, 1977.
2. That accordingly, the Carrier be ordered to:
 - (a) Compensate the aforesaid employe for sixty-day (60) period of suspension and with payment of 6% interest added thereto.
 - (b) Pay employe's group medical insurance contributions, including group medical disability, dental, dependent's hospital, surgical and medical, and death benefit premiums, and railroad retirement contributions for all time that the aforesaid employe was held out of service.
 - (c) Reinstate all vacation rights to the aforesaid employe.

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 question of clear instructions by the foreman to the Claimant and the timeliness of completing assignments before they were ready to eat, establish the importance of supervisory role and the need to give concise instructions to subordinate employes.

Likewise, General Foreman Kostakis corroborates the testimony that he did not order the Claimant to take the 3:20 train. The statement of the General Foreman was construed not to be a direct order. The Claimant could have made a better good-faith effort to contact the Foreman and return in a timely fashion.

For these reasons, the discipline is reduced from 60 to 30 days' suspension and payment made accordingly.

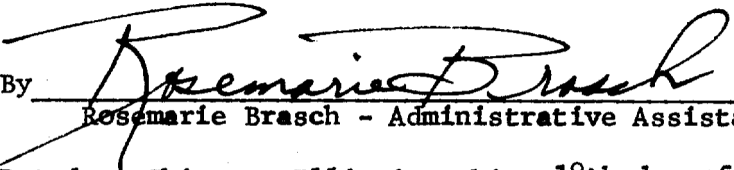
A W A R D

Claim sustained in accordance with the findings.

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 18th day of November, 1981.