

The Second Division consisted of the regular members and in addition Referee Paul C. Carter when award was rendered.

PARTIES TO DISPUTE: (Brotherhood Railway Carmen/ A Division of TCU
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(Northeast Illinois Regional Commuter Railroad
(Corporation

STATEMENT OF CLAIM:

1. That the Northeast Illinois Railroad Corporation did unjustly and in violation of the Agreement, suspended Coach Cleaner Tyrone Z. Buckner from service from January 5, 1988 through February 4, 1988.
2. That the Northeast Illinois Railroad Corporation be ordered to compensate Coach Cleaner Tyrone Z. Buckner for all lost time as result suspension.
3. That the Northeast Illinois Railroad Corporation be ordered to reimburse Coach Cleaner Tyrone Z. Buckner for any benefits he may have lost as result of his unjust suspension.
4. That the Northeast Illinois Railroad Corporation be ordered to pay Coach Cleaner Tyrone Z. Buckner interest at the 12% rate per annum for any payment he may receive as result of this claim.

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employees 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 record shows that Claimant, employed by the Carrier as Coach Cleaner, was sent a letter dated December 2, 1987, to appear for a Hearing on December 10, 1987, for alleged violation of Carrier's Rule "G". The rule cited as allegedly violated is set forth in the record and will not be repeated here. On December 17, 1987, Claimant was assessed discipline of thirty calendar days suspension.

The Board has carefully considered the entire record in the dispute and does not find that substantial evidence was adduced by the Carrier to warrant the discipline assessed.

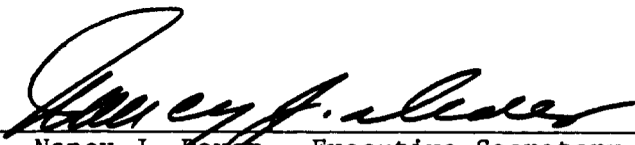
The Claim will be sustained except we find no proper basis for Part 4. There is no provision for the payment of "interest at the 12% rate per annum."

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois this 27th day of September 1989.