

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

Award No. 13235
Docket No. 13127
98-2-96-2-26

The Second Division consisted of the regular members and in addition Referee Robert Richter when award was rendered.

PARTIES TO DISPUTE: (International Brotherhood of Electrical Workers
(CSX Transportation, Inc. (former Chesapeake and
(Ohio Railway Company)

STATEMENT OF CLAIM:

- "1. That at Huntington, WV, on July 28, 1994, CSX Transportation violated the controlling agreement, particularly, Rule 37, when Electrician J. J. Barr ID 624766 was found guilty as charged as a result of investigation held on June 29, 1994. The discipline assessed was ten (10) days actual suspension beginning August 14, 1994 and ending on August 25, 1994.
2. That electrician J. J. Barr be compensated for all time lost as a result of this unjust suspension at the pro rata rate and be made whole for all vacation rights, for all health and welfare and insurance, for pension benefits, including Railroad Retirement and Unemployment Insurance, and for any other benefits that he would have earned as said benefits are part of the wages lost while being unjustly withheld from service and his personal record be cleared of all matters referred to herein."

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 employee 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 were given due notice of hearing thereon.

This case is a companion to that in Second Division Award 13234. Claimant was the Electrician assigned to work with the Claimant in that case.

The arguments of both parties are the same in this case and for the reasons cited in Award 13234 the Board will not disturb the action taken by the Carrier.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Dated at Chicago, Illinois, this 30th day of March 1998.