

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISIONAward No. 6623
Docket No. 6517
2-SOU-CM-'74

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

Parties to Dispute: (System Federation No. 21, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(Southern Railway Company

Dispute: Claim of Employees:

1. That under the current Agreement, Carman R. D. Powell, Macon, Georgia was improperly suspended from service from March 24, to April 22, 1972.
2. That accordingly, the Carrier be ordered to pay Carman R. D. Powell, Macon, Georgia for all time lost from March 24, 1972 to April 22, 1972.

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 waived right of appearance at hearing thereon.

At the preliminary investigation held on March 23, 1972, the Claimant was charged as follows:

- "1. Failure to properly perform your duties as a car inspector inasmuch as you failed to detect a broken terminal line on 32nd rear car, L&N 12899, B south end in extra north (#184) resulting in a delay of one hour and thirty minutes to this train.
- "2. Violation of safety instructions inasmuch as you passed between moving cars at about #6 air, of train #137 pulling out of the yard."

He was suspended on March 24, 1972 and after the formal investigation his suspension was continued until 3:30 P.M. on April 22, 1972.