

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

Parties to Dispute: (Sheet Metal Workers' International
(Association
(
(Southern Pacific Transportation Company
(Texas and Louisiana Lines

Dispute: Claim of Employees:

1. The Carrier unjustly discharged Sheet Metal Worker D. H. Hunt on January 29, 1973 on which date he was suspended pending investigation.
2. That the Carrier be ordered to compensate Sheet Metal Worker D. H. Hunt from date of discharge to date of reinstatement, this includes premiums for hospitalization Life Insurance and Vacation Pay, with all 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.

Claimant was charged with failing to report for work at the prescribed time and for being intoxicated when he did report for duty on the same day. After investigation and hearing, Claimant was dismissed from service.

A thorough review of the record, including the transcript of the hearing, compels a finding by the Board that there was substantial evidence of probative value to support the action taken by Carrier.

Form 1
Page 2

Award No. 6789
Docket No. 6632
2-SP(T&L)-SM-'74


A W A R D

Claim denied.

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 25th day of November, 1974.