

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

Parties to Dispute: ( System Federation No. 2, Railway Employees'  
( Department A.F.L. - C.I.O. - Carmen  
(  
( Chicago & Eastern Illinois Railroad Company

Dispute: Claim of Employee:

1. The Chicago and Eastern Illinois Railroad Company, hereinafter referred to as the Carrier, acted unjustly, unreasonably, arbitrarily, capriciously and in violation of Agreement Rule 30 when they (the Carrier) dismissed Carmen Helper Mr. R. Thompson, hereinafter referred to as Claimant, from service effective November 20, 1972.
2. Carrier be ordered to restore Claimant to service with all seniority rights unimpaired, to pay for all time lost from November 11, 1972, until restored to service, to pay all insurance premiums (Health, Welfare, and Life) for the length of time held out of service, and to clear Claimant's record.
3. In addition to the money amounts claimed herein, the Carrier shall pay Claimant an additional amount of six per cent (6%) per annum compounded annually on the anniversary date of 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 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.

After careful review of the record herein, the Board is of the opinion that there was substantial and probative evidence presented by Carrier to justify the discipline assessed. Under the circumstances, we will not disturb Carrier's action.

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/ps  
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 15th day of August, 1975.