

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

Parties to Dispute: ( System Federation No. 6, Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Firemen & Oilers)  
( Belt Railway Company of Chicago

Dispute: Claim of Employees:

1. That Laborer Frank J. O'Sullivan was unjustly disciplined by the Belt Railway Company of Chicago following an investigation held on April 9, 1976 by being dismissed on April 9, 1976.
2. That accordingly the Belt Railway Company of Chicago be ordered to return Laborer Frank J. O'Sullivan immediately to work with pay for all time lost, restoration of full seniority and all benefits he would have been entitled to.

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.

This Board has reviewed the entire record in this case and finds that the Carrier has proven the charges in this case and administered appropriate discipline for the offenses committed by this Claimant. The claim therefore must be denied.

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 15th day of August, 1978.