

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. 76, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Electrical Workers)
(Chicago and North Western Transportation Company

Dispute: Claim of Employees:

1. That under the current agreement the Carrier unjustly withheld Electrician Edward P. LaRose from service on December 19, 1975 pending a formal investigation.
2. That under the current agreement the Carrier unjustly dismissed Electrician Edward P. LaRose from their service on December 24, 1975.
3. That, accordingly, the Carrier be ordered to reinstate Electrician Edward P. LaRose with all seniority rights unimpaired and all benefits due him and that he be compensated for all time lost from December 19, 1975.

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.

The Board has reviewed the entire record in this case and finds that the evidence supports the Carrier's position. The claimant's misconduct clearly shows he is not fit to continue his employment with the Carrier. Therefore, this claim must be denied.

A W A R D

Claim denied.

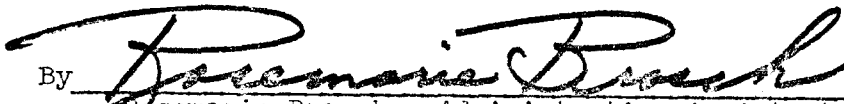
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Award No. 7741
Docket No. 7418
2-C&NW-EW-'78

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 29th day of November, 1978.