

The Second Division consisted of the regular members and in addition Referee George S. Roukis when award was rendered.

Parties to Dispute: { System Federation No. 109, Railway Employees'
 { Department, A. F. of L. - C. I. O.
 { (Carmen)
 { Consolidated Rail Corporation

Dispute: Claim of Employees:

- (a) That the Carrier violated the controlling agreement when on September 21, 1976, it assessed ten days actual suspension, September 27, 28, 29, 30, 1976; October 1, 4, 5, 6, 7, 8, 1976 to Car Repairer David L. Knarr, ConRail Repair Facility, Reading.
- (b) That accordingly, Carrier be ordered to compensate Car Repairer D. L. Knarr the ten days actual suspension as well as any other compensation the Claimant would have earned during the ten day suspension period; and further that the Carrier remove all record of the discipline and that Claimant's service record be restored 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 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.

The decision reached in companion Award 7870 is dispositive of this case. We find no evidence that the ten (10) days suspension was improperly imposed or inconsistent with the record.

We will deny this claim.

A W A R D

Claim denied.

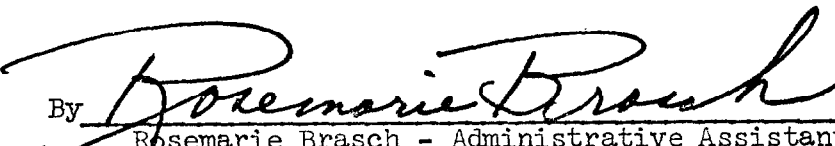
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Award No. 7872
Docket No. 7762
2-CR-CM-'79

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 28th day of March, 1979.