



Carrier, on the other hand, argued that it properly evaluated claimant's performance, as is its right to do. It found claimant lacking in aptitude and proper attitude. It chose to terminate him from the apprentice program. Carrier contends that the organization's argument that claimant received an unfair hearing and evaluation of his claim because of Manager Appelt's multiplicity of roles is not valid.

This board is frequently confronted with claims that carriers have denied employes due process in hearings on the property. Referees in all divisions of the National Railroad Adjustment Board have issued decisions on this point. Their decisions on this issue have gone both ways.

This division, however, has, for the most part, supported the proposition that each of these allegations must be reviewed and decided in light of the record of the particular case involved. We have recently stated this position in Award No. 8147. That decision involves the same carrier, the same organization, the same hearing officer, and the same referee present in this case. The board is of the opinion that our reasoning in that case applies as well in the instant one and we see no evidence that claimant was not granted a proper hearing and evaluation of the record and his case by carrier.

Carrier has the right and obligation to evaluate an apprentice early in his program. One hundred and twenty-two days is specifically identified as an evaluation point. Carrier employed a reasonable evaluation procedure. It covered pertinent points in the development of an apprentice. He was evaluated below standard in craft knowledge; below average in quality of work; and very poor, unreliable, and in need of constant supervision under the item of dependability.

Carrier made a judgment, based on these and other facts, that claimant should not be continued as an apprentice. This board sees no basis on which to fault carrier's decision. The record of this case shows very clearly that claimant was, by no standard, a serious, conscientious, and eager employee. Carrier has no need to continue in its employ a young apprentice who does not show more aptitude and enthusiasm than claimant did.

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 18th day of February, 1981.