

The Second Division consisted of the regular members and in addition Referee James F. Scarce when award was rendered.

Parties to Dispute: { International Brotherhood of Electrical Workers
{ St. Louis Southwestern Railway Company

Dispute: Claim of Employees:

1. That Radio Equipment Installer W. R. Belew an employee of the St. Louis Southwestern Railway Company was verbally abused and harrassed by Supervisor R. Gregory on April 9, 1979 in violation of Rule M801.
2. That the St. Louis Southwestern Railway Company be ordered to issue some disciplinary penalty against Supervisor R. Gregory account of his action.

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 gravamen of this case goes to the asserted demeanor of a supervisor toward the Claimant during an incident on or about April 9, 1979. Essentially, the Claim asked that appropriate discipline be assessed against the supervisor for his alleged unjust treatment of the Claimant in this regard.

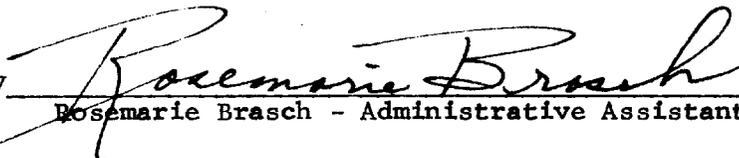
Without addressing the details of the incident raised in this case, suffice it to say that this Board is without authority to assess the relief demanded, i.e. to issue disciplinary action against supervisor involved.

A W A R D

Claim is 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 28th day of October, 1981.