

The Second Division consisted of the regular members and in addition Referee Francis M. Mulligan when award was rendered.

Parties to Dispute: { International Brotherhood of Firemen and Oilers
{ Chicago and North Western Transportation Company

Dispute: Claim of Employees:

1. Under the current controlling Agreement, Mr. R. G. Pridgeon, Laborer, Marshalltown, Iowa, was unjustly dealt with when he was assessed a thirty (30) day deferred suspension following hearing held on January 28, 1981.
2. That accordingly, Chicago and North Western Transportation Company be ordered to remove any reference of the thirty day deferred suspension from his record.

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.

We have reviewed this entire record in this matter and taking into consideration the particular facts of this incident, it is our opinion that the Carrier erred when imposing a thirty (30) day deferred suspension on the Claimant. We would, therefore, order that the Carrier remove any reference of the thirty (30) day deferred suspension from Claimant's record.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Acting Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 25th day of May, 1983.