

The Second Division consisted of the regular members and in addition Referee W. J. Peck when award was rendered.

(International Association of Machinists and
(Aerospace Workers
Parties to Dispute: (
(Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. Claim in behalf of Machinist R. D. Davis due to the Carrier violating the Controlling Agreement, in particular Rule 32 (d) for eight (8) hours pay at the pro rata rate for each day lost as a result of discipline assessed as ten (10) days deferred Suspension. For all overtime and holiday pay for which he would have been available at the punitive rate had the Carrier not assessed this unwarranted discipline.

2. Credit for vacation qualification lost during this period.

3. Four (4) hours pay at the pro rata rate for being required to attend the investigation until 4:15 PM, February 8, 1984.

4. Reimburse the Railroad Retirement Board for all unemployment benefits paid to Machinist R. D. Davis during the period as damages in connection with this discipline.

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 employes 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.

This is a companion case to Award No. 11003, what we said in that case applies to this one as well. We will deny the Claim.

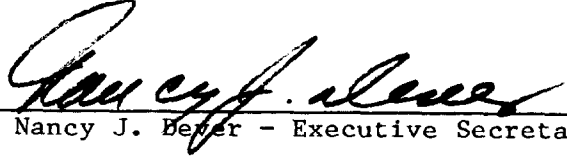
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Award No. 11004
Docket No. 11008
2-MP-MA-'86

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Beyer - Executive Secretary

Dated at Chicago, Illinois, this 1st day of October 1986.