

Award No. 6435
Docket No. CL-6548

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

UNITED TRANSPORT SERVICE EMPLOYEES

THE NEW YORK CENTRAL RAILROAD COMPANY
THE GRAND CENTRAL TERMINAL

STATEMENT OF CLAIM: This claim is filed on behalf of George S. Mason, Red Cap Attendant, employed at the Grand Central Terminal of the New York Central System in New York City. Mr. Mason was suspended from service for a period of ten days for: "Violation of Special Instruction RC-5, Section J, having carried four (4) bags to two (2) parcel checking lockers on north side of West Balcony without placing any checks on them."

Rule 8 (a) of the collective agreement was violated in that Mr. Mason failed to receive a fair and impartial hearing. The discipline was improperly assessed against Mr. Mason in that he did not violate Section J of Special Instruction RC-5. For the above reasons request is made that Claimant's record be cleared of the above charge and that he be reimbursed for all time lost resulting from the imposition of said discipline.

OPINION OF BOARD: Based upon all of the facts and circumstances of this particular case the Board is not disposed to disturb the action of the Carrier.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the action of the Carrier will not be disturbed.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 8th day of January, 1954.