

Award No. 9586
Docket No. CL-9109

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Howard A. Johnson, Referee

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

**THE NEW YORK CENTRAL RAILROAD, Eastern District
(except Boston Division)**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes, on the New York Central Railroad Company, Buffalo and East:

1—That Carrier's charges against Mr. A. W. Breene, Ticket Clerk, Central Terminal, Buffalo, N. Y., in the incident of the July 5, 1955, involving loss of Company funds, were not substantiated.

2—That the discipline of 15 days' actual and 15 days' record suspension assessed by the Carrier against Mr. A. W. Breene, and based on the above charges, was unjustified.

3—That the Carrier be required to clear Mr. A. W. Breene's record of this improper discipline, and reimburse him in full for the wage loss it entailed.

OPINION OF BOARD: We find nothing in the record to warrant our disturbing the action of the Carrier in this case.

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 Employee involved in this dispute are respectively Carrier and Employee 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 Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 7th day of October, 1960.