NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

John H. Dorsey, Referee

PARTIES TO DISPUTE:

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

SEABOARD COAST LINE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6653) that:

1. (A) Carrier violated the agreement and dismissed C R. Nettles, Jr. from its service effective August 26, 1968.

   (B) C. R. Nettles, Jr. shall now be restored to Carrier's service with all seniority rights unimpaired and payment for all wage loss until returned to the service.

   (C) Carrier shall make premium payments on behalf of Claimant Nettles in the appropriate amounts required under Travelers Group Policy Contract GA-23000, as amended, for all of the benefits prescribed in that contract.

2. (A) Carrier violated the agreement when it dismissed Jack D. Sizemore, Truck Operator, in the service of Seacoast Transportation Company from its service effective August 29, 1968.

   (B) Jack D. Sizemore shall now be resored to Carrier's service with all seniority rights unimpaired and payment for all wage until returned to the service.

   (C) Carrier shall make premium payments on behalf of Claimant Sizemore in the appropriate amounts required under Travelers Group Policy Contract GA-23000, as amended, for all of the benefits prescribed in that contract.

OPINION OF BOARD: The Board has carefully reviewed the entire record in the dispute, including the transcript of investigation conducted on August 21, 1968.

The Board finds that none of Claimants' substantive rights under the collective agreements involved were violated. There was substantial evidence presented at the investigation to support the charges against the Claimants. The discipline imposed by the Carrier was not, under the facts involved, capricious, arbitrary or in bad faith. The claim will, therefore, be denied.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds: