



Award No. 18469

Docket No. CL-18817

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Robert M. O'Brien, Referee

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6806) that:

1. Carrier violated the Clerks' Agreement when, effective July 25, 1969, it assessed discipline of 30 days deferred suspension to Mrs. Alice Agnes Managan Woley, Clerk, Dupo, Illinois, without first giving her a fair and impartial investigation, which action was in violation of Rule 18 (a) of the Clerks' Agreement.

2. The Carrier shall be required to remove the discipline of 30 days deferred suspension or any reference thereto from Mrs. Woley's record.

OPINION OF BOARD: The dispute herein involves the same Carrier, the same Agreement provisions, and the same contentions as were involved in Award 18468, and the findings in that Award are applicable here.

Carrier did not violate Rule 18 (a) of the Agreement, which provides for an investigation before an employe covered by the Agreement can be disciplined for an alleged wrongdoing, since the employe in question, acknowledged responsibility for the wrongdoing and voluntarily waived said investigation.

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

That the parties waived oral hearing:

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes 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: E. A. Killeen
Executive Secretary**

Dated at Chicago, Illinois this 31st day of March 1971.