

Award No. 18784
Docket No. CL-19121

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Arthur W. Devine, Referee

PARTIES TO DISPUTE:

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

THE BELT RAILWAY COMPANY OF CHICAGO

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6890) that:

1. The Carrier violated the Clerks' Agreement when on December 17, 1969 it suspended Janitor A. White from actual service for a period of five (5) days.
2. Janitor White shall now be compensated for all wage losses sustained and his record cleared of the alleged charge.

OPINION OF BOARD: Claimant was charged with failure to comply with the instructions of his supervisor. The record before the Board discloses that the investigation of these charges which was conducted by Carrier satisfied all of the procedural requirements established by the parties' agreement, and the claim is essentially a request that this Board substitute its judgment for that of Carrier in evaluating the evidence. There is substantial evidence in the record that supports Carrier's decision, and in these circumstances, it is well settled that the Board will not substitute its judgment for that of Carrier.

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 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 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 22nd day of October 1971.