

NATIONAL RAILROAD ADJUSTMENT BOARD

**THIRD** DIVISION

Award Number 21069  
Docket Number CL-21158

Joseph A. Sickles, Referee

(Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station **Employees**

PARTIES TO DISPUTE: (  
(Burlington Northern Inc.

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-7860) that:

1. Carrier violated the Working Agreement with an effective date of March 3, 1970 between the parties hereto, when on the seventh day of February 1974, it suspended Cherilynn E. Jasos, **PBX** Telephone Exchange Operator, Burlington Northern Chicago Regional Office Building, Chicago, Illinois, from her regular assignment.

2. Carrier violated the Agreement between the parties hereto when on March 10, 1974, it discharged Cherilynn E. **Jasos**.

3. Carrier shall restore Cherilynn E. Jasos to service with seniority rights unimpaired, showing exoneration, including her right to return to her former position or any position bulletined during her absence and reimburse her for any and all loss of compensation incurred, including any loss suffered by her and her dependents as a result of the effect of her dismissal upon Group Policy Contract GA-23000, at the present **time** or in the future.

OPINION OF BOARD: Claimant was notified to attend an investigation on a charge of conduct unbecoming an **employee** and absenting herself **from** her telephone exchange operator duties. Subsequent to investigation, she was discharged from service.

The pertinent facts which gave rise to the disciplinary action are detailed in **our Award** No. 21068. That Award also considers, and rejects, certain procedural objections raised herein by the Organization.

We feel that **our** discussion of the status of the record in Award No. 21068 is equally applicable here and no **purpose** is served by further recitation.

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;

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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.

A W A R D

Claim denied.

NATIONAL RAILROAD **ADJUSTMENT** BOARD  
By Order of Third Division

ATTEST:

*A. W. Pauls*  
Executive Secretary

Dated at Chicago, Illinois, this **29th** day of April 1976.