

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **22469**
Docket Number **NW-22439**

Robert A. **Franden**, Referee

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way **Employes**
(National Railroad Passenger Corporation

STATEMENT OF CLAIM: "Claim of the System **Committee** of **the** Brotherhood
that:

(1) The discipline of Maintenance Helper J. **DiNoto** for alleged violation of Rules I and Y of the National Railroad Passenger' Corporation General Rules was without just or sufficient cause and **on** the basis of unproven charges.

(2) **The** claimant's personal record shall be cleared of said charges and he shall be reimbursed for all **wage** loss suffered as a consequence of said discipline."

OPINION OF BOARD: Claimant was suspended from the service of the Carrier **for** 60 days after having been found guilty of violating Rules **I and** Y of the National Railroad Passenger Corporation General Rules.

We have reviewed the transcript of the hearing and **find** that there **was** sufficient evidence presented to support the finding of guilt, We will deny the claim.

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.

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Claim denied.

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By Order of Third Division

ATTEST:

A. W. Pauls
Executive Secretary

Dated at **Chicago**, Illinois, this **31st** day of **July 1979**.

