

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 24291
Docket Number SG-24465

William G. Caples, Referee

PARTIES TO DISPUTE: { Brotherhood of Railroad Signalmen
(Missouri Pacific Railroad Company)

STATEMENT OF CLAIM: "Claim of the General **Committee** of the Brotherhood of Railroad **Signalmen** on the Missouri Pacific Railroad Company:

On behalf of Signal Maintainer B. **K. Derossett**, Ozark, Arkansas, for pay for all **time** lost **from October** 17 through **November 30, 1980**, account suspended from service during that **period as a** result of investigation held October 15, **1980.**" (Carrier file: K 225-868)

OPINION OF BOARD: **The evidence** before the Board is sufficient to **sustain** two of the three charges against **the Claimant** for **violation** of rules as charged. **However** it is the opinion of the Board that the discipline on the record is excessive and that 30 days actual suspension would be proper.

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 discipline was excessive.

A W A R D

Claim sustained in *accordance* with the Opinion.

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By Order of Third Division

Attest: **Acting** Executive Secretary
National Railroad Adjustment Board

By *Rosemarie Brasch*
Rosemarie **Brasch** - Administrative Assistant

Dated at Chicago, **Illinois**, this **14th** day of **April** 1983.

