

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 27141
Docket No. TD-26002
88-3-84-3-551

The Third Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

PARTIES TO DISPUTE: (American Train Dispatchers Association
(Indiana Harbor Belt Railroad Company

STATEMENT OF CLAIM: "Request that the personnel record of Mr. G. C. Hartley, which has been assessed with ten days (10) suspension, held in abeyance, per Notice of Discipline dated April 11, 1984, be entirely rescinded and removed and that Mr. Hartley be reimbursed for wages lost and for all expenses incurred involving hearing/investigation held on Tuesday, April 3, 1984."

FINDINGS:

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

The carrier or carriers and the employe or employees involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

Claimant was employed by Carrier as a Train Dispatcher at Gibson, Indiana. On March 19, 1984, Claimant was alleged to have been responsible for unnecessarily delaying a train for two hours during which the Hours of Service Act caught the crew and a new crew had to be called to move the train over the Indiana Belt tracks to the ICG property. For this alleged infraction, Claimant was assessed a 10-day overhead suspension.

The Board has reviewed the record and can find no basis on which to modify or overturn Carrier's actions in this case.

A W A R D

Claim denied.

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NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Deyer - Executive Secretary

Dated at Chicago, Illinois, this 23rd day of June 1988.