

The Organization believes that the letters were disciplinary in nature and that Carrier erred in failing to hold a hearing in conjunction with their issuance. It argues that if they are construed as "warning/reprimands/informational letters," there is no reason for them to be retained.

This Board accepts at face value Carrier's contention that it does not intend to use the letters in question for disciplinary purposes. Clearly, if any reference were made to them on Claimant's official discipline record, that would be unacceptable.

It is also this Board's position that a record of counselling discussions held by Supervisors with employees may be retained in employment files, since this information is helpful in later determining whether reasonable steps were taken by Management prior to the imposition of discipline. By this we mean discussions that were intended to assist the employee in improving his or her performance or behavior and not simply references to incidents or discussions in which the employee was involved.

Of the three letters at issue in this case, only one--a memo written to the file by the Manager of Physical Facilities in Huntington, on April 7, 1989--meets the standard that has been established for retention, since it discusses specific incidents of counselling on a variety of dates. The other two are not acceptable. Of these, one was written by a fellow employee and the other refers to one of the incidents about which Claimant was counselled and simply describes the alleged event by a third party.

The memorandum dated April 7, 1989, written by the Manager of Physical Facilities shall be retained in Claimant's personnel file. The other two notes are to be removed.

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: *Catherine Loughrin*
Catherine Loughrin - Interim Secretary to the Board

Dated at Chicago, Illinois, this 26th day of October 1993.