

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 32932
Docket No. TD-33669
98-3-97-3-126**

The Third Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

**(American Train Dispatchers Department\International
(Brotherhood of Locomotive Engineers**

PARTIES TO DISPUTE: (

(Consolidated Rail Corporation

STATEMENT OF CLAIM:

"Appeal on behalf of Train Dispatcher A. M. Vadalabene, Employee Number 261752, from the discipline of a reprimand, as assessed by Notice of Discipline dated December 27, 1995."

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

On October 24, 1995, Claimant was involved in a verbal altercation with an Assistant Chief Train Dispatcher. Following an Investigation into the incident Claimant was disciplined with a reprimand. The Organization has appealed the discipline to this Board on a variety of basis, both procedural and substantive.

The Board finds the Organization's procedural and merits arguments are unsupported in this record. Discipline was warranted in the circumstances of the incident and discipline of a reprimand is not inappropriate.

The claim is without merit. It will be denied.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 23rd day of November 1998.