

Award No. 16522
Docket No. CL-16831

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Arthur W. Devine, Referee

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP
CLERKS, FREIGHT HANDLERS, EXPRESS AND
STATION EMPLOYES**

ILLINOIS CENTRAL RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6149) that:

Carrier shall be required to compensate Clerks K. A. Storbeck, E. L. Lax and K. H. Wagoner for all monetary loss sustained from August 20, 1965, until returned to service following dismissal account alleged shortage and mishandling of station funds at Madison, Illinois, between August 7, 1965 and August 13, 1965.

OPINION OF BOARD: This dispute arose as a result of a discovery of a shortage in station funds in the amount of \$180.00 at Madison, Illinois by the Local Agent on August 13, 1965.

The employees in the Local Office, namely, Agent Mainer, Relief Operator Stone, and claimants Storbeck, Lax and Wagoner were cited for formal investigation which was held August 20, 1965 and as a result thereof all five employees, including the claimants, were dismissed from carrier service.

Subsequently, the Carrier reduced the discipline for the three (3) Claimants to a thirty (30) day suspension and returned Claimant Storbeck on September 18, 1965; Claimant Wagoner on September 19, 1965 and Claimant Lax on September 21, 1965.

The record reveals that (1) Claimant Wagoner was absolved from blame, and (2) that Claimants Storbeck and Lax condoned carelessness.

Accordingly, Claimant Wagoner should be compensated for all time lost and Claimants Storbeck and Lax should be penalized the first fifteen (15) days and compensated for the last fifteen (15) days.

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 violated.

AWARD

Claim sustained in accordance with the Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 26th day of July 1968.