



Award Number 17742

Docket Number SG-17981

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Robert C. McCandless, Referee

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILROAD SIGNALMEN
THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY
(Western Lines)**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Atchison Topeka and Santa Fe Railway Company;

On behalf of Mr. V. C. Ludwick for payment of all wages lost commencing May 6, 1967, and continuing until he is reinstated to his former position of Signal Maintainer at Lampasas, Texas, with all seniority rights, vacation rights and pass rights restored.

(Carrier's File: 132-55-4)

OPINION OF BOARD: Claimant was dismissed on May 6, 1967, but was subsequently reinstated and the claim here is for time lost between the date of his dismissal and September 26, 1967.

Based on the entire record and considering all the circumstances in the case, the Board considers that the maximum reasonable penalty for Claimant's conduct in this case is a 30-day suspension without pay. Claim is allowed for the period June 5 to September 26, 1967.

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.

A W A R D

Claim sustained to the extent indicated in the Opinion.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 20th day of February 1970.

CARRIER MEMBERS' DISSENT TO AWARD 17742, DOCKET SG-17981
(Referee McCandless)

We respectfully submit that the record fully supports the action taken by Carrier and the entire claim should have been denied.

/s/ **G. L. NAYLOR**
G. L. Naylor

/s/ **P. C. CARTER**
P. C. Carter

/s/ **W. B. JONES**
W. B. Jones

/s/ **R. E. BLACK**
R. E. Black

/s/ **G. C. WHITE**
G. C. White