



Award No. 18147
Docket No. CL-18605

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

John H. Dorsey, Referee

PARTIES TO DISPUTE:

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

THE BELT RAILWAY COMPANY OF CHICAGO

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6721) that:

1. The Carrier violated the Clerks' Agreement when on June 4, 1969, it terminated the services of Clerk Gray.
2. Clerk Gray shall be restored to service with seniority rights unimpaired and with payment for time lost June 5, 1969 and subsequent dates until restored to service.
3. For any month in which claim is here made for compensation on behalf of claimant involved, the Carrier shall also make premium payments on behalf of the claimant in the appropriate amounts required under Travelers Group Policy Contract GA-23000, as amended, for all the benefits prescribed in that contract.

OPINION OF BOARD: On May 23, 1969, Carrier served upon Claimant the following charge:

"Please report to General Office Building, Room 102, at 9:30 A. M., on May 27, 1969, for the purpose of ascertaining the facts and determining your responsibility, if any, in connection with your display of an indifferent attitude toward your duties, being quarrelsome and insubordinate from 8:15 A. M. to 8:45 A. M. on April 29, 1969 prior to your leaving the Auditor's Office for the remainder of the day.

If you desire a representative, please arrange."

After hearing held Claimant was found guilty as charged and he was dismissed from service.

From our review of the Record we find that: (1) Claimant was afforded due process; (2) there is substantial evidence that Claimant was guilty as charged; and (3) the discipline assessed was reasonable. We, therefore, are compelled to deny the Claim.

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 Claimant was guilty as charged and the discipline assessed was reasonable.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 9th day of October 1970.