

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20719  
Docket Number CL-20754

William M. Edgett, Referee

(Brotherhood of Railway, Airline and Steamship  
( Clerks, Freight Handlers, Express and  
( Station Employees

PARTIES TO DISPUTE: (

(Southern Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood,  
(GL-7533), that:

(a) Carrier violated the Agreement at Alexandria, Virginia,  
when it dismissed Mr. W. C. Hancock from service; and

(b) Mr. Hancock shall be compensated at the rate of \$35.35  
per day beginning September 21, 1972, and continuing through September  
30, 1972, and at the rate of \$37.22 beginning October 1, 1972, and con-  
tinuing through November 9, 1972.

OPINION OF BOARD: Claimant, a senior employee with many years of ser-  
vice, and an unblemished record in disciplinary mat-  
ters, was dismissed after an investigation into an unfortunate verbal  
exchange with his supervisor. Carrier later rescinded the dismissal and  
restored him to service. This claim seeks pay for all time lost.

The record does not support Claimant's desire for a complete  
reversal of the discipline. It does, however, reflect that in his thirty  
six years with Carrier Claimant has not been involved in any other dis-  
ciplinary matter. Considering that fact, and all the facts and circum-  
stances in the record, a thirty day (actual) suspension is the proper  
measure of discipline in this case.

FINDINGS: The Third Division of the Adjustment Board, after giving the  
parties to this dispute due notice of hearing thereon, and upon  
the whole record and all the evidence, finds and holds:

That the Carrier and the Employee involved in this dispute are  
respectively Carrier and Employee 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's suspension should be reduced to thirty days.

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Claim sustained in part, as shown above.

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By Order of Third Division

ATTEST:

A. W. Pauls  
Executive Secretary

Dated at Chicago, Illinois, this 16th day of May 1975.