

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21000
Docket Number CL-20891

Francis X. Quinn, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and Steamship Clerks,
(Freight Handlers, Express and Station Employees
(Burlington Northern Inc.

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-7679) that:

- (1) The Carrier violated the provisions of the Clerks' Working Agreement when it censored and suspended from service for seven days, Messrs. C. A. Waggoner, Car Distributor and J. A. Watke, Accountant, both located at Omaha, Nebraska.
- (2) The Carrier shall now be required to remove the entry of censure from Mr. C. A. Waggoner's personal record, show exoneration and compensate him for all wages lost, including loss of holiday and overtime pay for the period August 31, 1973 to September 6, 1973, both dates inclusive.
- (3) The Carrier shall now be required to remove the entry of censure from Mr. J. A. Watke's personal record, show exoneration, compensating him for all wages lost, including loss of holiday and overtime pay for the period from September 1, 1973 to September 7, 1973, both dates inclusive.

OPINION OF BOARD: A careful review of the record indicates no prejudice to the claimants in the operation of the discipline rule.

The ultimate goal of the discipline assessed in this case is to help insure the security of the Company mail. This does not mean that an employee wishing to retrieve a letter he/she has written may not do so. What it does mean is that should he/she desire the return of a letter he/she authored, proper channels, dictated by common sense and a respect for the privacy of another's mail, should be followed.

The evidence indicates that the claimants were not authorized to open or otherwise handle the Company's mail. Their actions were improper.

The Carrier demonstrated fairness and objectivity in determining the amount of discipline. Therefore, we find the claim without merit.

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 Employees involved in this dispute are respectively Carrier and Employees 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 not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Parker
Executive Secretary

Dated at Chicago, Illinois, this 12th day of March 1976.