

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21069
Docket Number CL-21158

Joseph A. Sickles, Referee

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

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-7860) that:

1. Carrier violated the Working Agreement with an effective date of March 3, 1970 between the parties hereto, when on the seventh day of February 1974, it suspended Cherilynn E. Jasos, PBX Telephone Exchange Operator, Burlington Northern Chicago Regional Office Building, Chicago, Illinois, from her regular assignment.

2. Carrier violated the Agreement between the parties hereto when on March 10, 1974, it discharged Cherilynn E. Jasos.

3. Carrier shall restore Cherilynn E. Jasos to service with seniority rights unimpaired, showing exoneration, including her right to return to her former position or any position bulletined during her absence and reimburse her for any and all loss of compensation incurred, including any loss suffered by her and her dependents as a result of the effect of her dismissal upon Group Policy Contract GA-23000, at the present time or in the future.

OPINION OF BOARD: Claimant was notified to attend an investigation on a charge of conduct unbecoming an employe and absenting herself from her telephone exchange operator duties. Subsequent to investigation, she was discharged from service.

The pertinent facts which gave rise to the disciplinary action are detailed in our Award No. 21068. That Award also considers, and rejects, certain procedural objections raised herein by the Organization.

We feel that our discussion of the status of the record in Award No. 21068 is equally applicable here and no purpose is served by further recitation.

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;

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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. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 29th day of April 1976.