

THIRD DIVISION

Robert W. McAllister, Referee

The Organization contends the Claimant's discharge was without just and sufficient cause on the basis of unproven charges. Referring to Article XI, Section 1 of the 1978 National Agreement, the Organization argues this provision clearly provides that an employee's application for employment must be rejected within sixty days after establishing seniority. In this matter, the Organization believes the transcript establishes Carrier was furnished with the names and addresses of Claimant's former employers, including the necessary authority for Carrier to obtain any and all information concerning Claimant's employment by those companies.

The Board views this argument as without merit. The possibility of the Carrier uncovering the essential facts to support such a charge, as contained herein, begs the issue. The record supports the Carrier's finding of a violation, as charged. The integrity of employment consideration requires truthful and accurate answers to all questions. In summation, this Board finds no basis in the record to oppose Carrier's finding that Claimant falsified his employment application, and had the correct information been provided, the Carrier would not have hired the Claimant. This claim is, therefore, denied.

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 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: Acting Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant



Dated at Chicago, Illinois, this 23rd day of March 1983.