

AWARD NO. 61

CASE NO. 74

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees

and

Chicago and North Western Transportation Company

STATEMENT OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

- (1) The ten (10) day suspension of B&B Carpenter W.D. Underbakke was without just and sufficient cause and wholly disproportionate to the alleged offense. (System Files D-11-24-34)
- (2) B&B Carpenter W.D. Underbakke be compensated for all time lost and the discipline be stricken from his record."

OPINION OF BOARD:

Except for the identification of the Claimant, this case is in all respects identical with that disposed of in Award No. 60 (Case No. 73). For reasons developed more fully in Award No. 60, this claim also must be sustained.

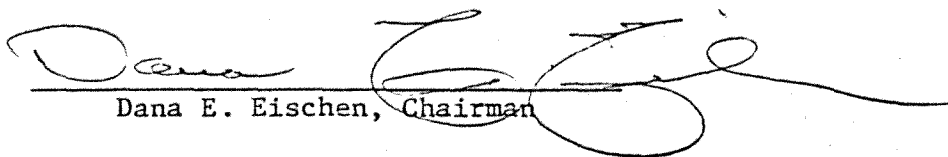
FINDINGS:

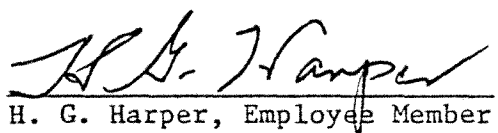
Public Law Board No. 1844, upon the whole record and all of the evidence, finds and holds as follows:

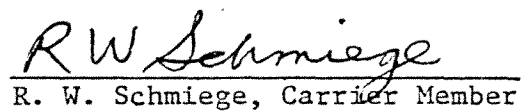
1. that the Carrier and Employee involved in this dispute are, respectively, Carrier and Employee within the meaning of the Railway Labor Act;
 2. that the Board has jurisdiction over the dispute involved herein;
- and
3. that the Agreement was violated.

AWARD

Claim sustained..


Dana E. Eischen, Chairman


H. G. Harper, Employee Member


R. W. Schmiede, Carrier Member

Dated: Dec 5, 1979