

PUBLIC LAW BOARD NO. 2366

AWARD NO. 72

CASE NO. 88

PARTIES TO DISPUTE:

Illinois Central Gulf Railroad

and

Brotherhood of Maintenance of Way Employees

STATEMENT OF CLAIM

1. The thirty (30) day suspension assessed E. C. Robinson for allegedly using 'profane and/or vulgar language against company officials' was without just and sufficient cause, arbitrary and capricious. (Organization File MW-39-T-84; Carrier File 1635).
2. Claimant E. C. Robinson shall be compensated for all wage loss suffered at the Group D machine operator rate and given the opportunity to qualify on the Fairmont Spiker."

OPINION OF THE BOARD

Claimant was notified of an investigation on a charge of using profane and/or vulgar language against a company official. Subsequent to the hearing he was suspended for thirty (30) days.

While speaking to one Track Supervisor (B) he referred to another Supervisor (T) as a "no good little son of a bitch." He apologized shortly thereafter, but it appears that he had been previously warned about his demeanor.

FINDINGS

The Board, upon consideration of the entire record and all of the evidence finds:

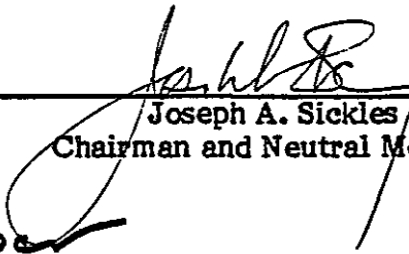
The parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended.

This Board has jurisdiction over the dispute involved herein.

The parties to said dispute were given due and proper notice of hearing thereon.

AWARD


Claim denied.



Joseph A. Sickles
Chairman and Neutral Member



H. G. Harper
Organization Member



J. S. Gibbins
Carrier Member

12-17-84
Date