

**PUBLIC LAW BOARD NO. 7599**

AWARD NO. 21  
CASE NO. 21

PARTIES TO  
THE DISPUTE: Brotherhood of Maintenance of Way Employees Division  
IBT Rail Conference

vs.

Grand Trunk Western Railroad Company

ARBITRATOR: Gerald E. Wallin

DECISION: Claim dismissed

**STATEMENT OF CLAIM:**

"Claim of the System Committee of the Brotherhood that:


1. The discipline [twenty-two (22) day actual suspension] imposed upon Claimant K. Watts by letter dated October 14, 2014 for allegedly falsifying payroll in June and July 2014 was on the basis of unproven charges, arbitrary, excessive and in violation of the Agreement.
2. The claim, as appealed under letter dated November 13, 2014, shall be allowed as presented because the Carrier defaulted on the claim when it failed to hold a timely appeal meeting as required by Rule 24(b).
3. The claim, as presented under letter dated November 13, 2014, to Director Labor Relation T. Rice, shall be allowed as presented because it was not timely disallowed in accordance with Rule 24(b)."

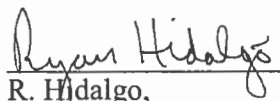
**FINDINGS OF THE BOARD:**

The Board, upon the whole record and on the evidence, finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that this Board is duly constituted by agreement of the parties; that the Board has jurisdiction over the dispute, and that the parties were given due notice of the hearing.

After review of the submissions, the Board finds no issues remain in this dispute that require resolution by the Board.

AWARD: The Claim is dismissed.

  
Gerald E. Wallin, Chairman  
and Neutral Member

  
R. Hidalgo,  
Organization Member

  
C. K. Cortez,  
Carrier Member

Date: 2-8-2018