

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 27153
Docket No. SG-27264
88-3-86-3-353

The Third Division consisted of the regular members and in addition Referee Charlotte Gold when award was rendered.

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE: (

(Baltimore & Ohio Railroad Company (B&O)

STATEMENT OF CLAIM: "Claim on behalf of the General Grievance Committee of the Brotherhood of Railroad Signalmen on the Baltimore and Ohio Railroad Company (B&O):

On behalf of Signal Maintainer E. E. Jones, who was excessively disciplined when he was suspended for 10 days account of his alleged involvement in a vehicle accident on April 12, 1985, at 12:30 PM at MP 242.9, Flora, Illinois. Carrier File: 8-SG-793."

FINDINGS:

The Third Division of the Adjustment Board upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employees involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

Claimant was suspended for ten days for his alleged involvement in a vehicle accident on April 22, 1985, in Flora, Illinois, which caused \$650 worth of damage.

It is undisputed that in going around another truck, Claimant's mirror struck the other vehicle. This Division is left with the conclusion that Claimant did not ensure that he had proper clearance.

In light of the fact that Claimant's record includes another ten-day suspension, a reprimand, and a demotion, a ten-day suspension in this instance is not excessive.

A W A R D

Claim denied.

Form 1
Page 2

Award No. 27153
Docket No. SG-27264
88-3-86-3-353

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 23rd day of June 1988.