

Public Law Board No. 3514

PARTIES  
TO  
DISPUTE:

Brotherhood of Maintenance of Way Employees  
and  
Consolidated Rail Corporation

STATEMENT  
OF  
CLAIM:

Appeal by former Track Foreman Richard Miller  
from disqualification as an "A" and "B" foreman.

FINDINGS:

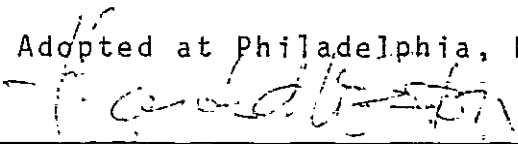
Claimant's disqualification was decided upon  
after (1) he had returned number 1 main track  
to service although one rail length had not been  
spiked and (2) he violated instructions by allow-  
ing a trackman to take a company vehicle home  
over a weekend.


While claimant was remiss in these two respects,  
we are satisfied from our examination of the record that he should  
be afforded another opportunity to serve as an "A" and "B" foreman.


AWARD:

The disqualification will be removed but no  
back pay will be due claimant. To be effective  
within 15 days.

Adopted at Philadelphia, Pa., October 4, 1984.

  
Harold M. Weston, Chairman

  
F. J. Donaghy  
Carrier Member

  
James P. Cassese  
Employee Member