

PUBLIC LAW BOARD NO. 3765

Parties
to the
Dispute

CONSOLIDATED RAIL SYSTEM FEDERATION
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs.

GRAND TRUNK WESTERN RAILROAD COMPANY

Case No. 22
Award No. 19

STATEMENT OF CLAIM

The discipline assessed Machine Operator G. C. Jessup was without just and sufficient cause and was arbitrary when directed to follow out instructions of Foreman R. J. Buysse and Division Engineer Gasiecki.

Claimant G. C. Jessup shall be exonerated of the charges and compensated for all lost earnings, and his personal record shall be expunged of all reference to the charges.

OPINION OF THE BOARD

Claimant G. C. Jessup was assigned as a Machine Operator in the Track Department. Claimant Jessup was involved with Claimant Buysse, who was the subject of Case No. 21 before this Board. Claimant Jessup was charged, as was Buysse, in connection with a collision of two track machines during a move of those machines. Both Claimants Buysse and

-2-

Jessup were assessed an eleven-day suspension. This Board in Case No. 21 reduced that suspension from eleven days to five working days. We see no reason why we should not do the same in this instance.

AWARD

Claim sustained in part. The eleven-day suspension is reduced to a five-day suspension. Claimant shall be paid for all time lost beyond the five days.

R. E. Dennis
R. E. Dennis, Neutral Member

R. J. O'Brien
R. J. O'Brien, Carrier Member

W. E. LaRue
W. E. LaRue, Employee Member

1-30-89
Date of Approval