

PUBLIC LAW BOARD NO. 1838

Award No. 50

Docket No. MW-PO-79-37

Parties Brotherhood of Maintenance of Way Employees
to and

Dispute: Norfolk and Western Railway Company

Statement of Claim: Claim on behalf of Mr. J. M. Beckett for reinstatement and pay for time lost as a result of his dismissal effective October 19, 1979.
(File MW-PO-79-37)

Findings: The Board, after hearing upon the whole record and all evidence, finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated March 1, 1976, that it has jurisdiction of the parties and the subject matter and that the parties were given due notice of the hearing held.

Claimant, following an investigation, was dismissed from service effective October 19, 1979. Since that time another employee involved in the incident giving rise to the discipline herein, was returned to service. Claimant will be returned to service with all rights unimpaired but without pay for time out of service and will be placed on a probationary status for a one (1) year period.

Award: Claim disposed of as per findings.

Order: Carrier is directed to make this Award effective within thirty (30) days of date of issuance shown below.


A. D. Arnett, Employee Member


G. C. Edwards, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member