

PUBLIC LAW BOARD NO. 3514

Case No. 122 Award No. 125

PARTIES Brotherhood of Maintenance of Way Employees
to -and-
DISPUTE: Consolidated Rail Corporation

STATEMENT OF CLAIM:

Appeal of Welder Gene D. Torango to have the discipline of a five day suspension removed from his record.

FINDINGS: In this dispute, the Carrier essentially asserted that the Claimant was negligent in that an expensive saw was stolen from his work area.

The Board concludes, given all the facts and circumstances of this particular case, that the discipline assessed was unduly harsh. We hold that a letter of reprimand would be more commensurate to the Claimant's role in this affair.

AWARD

As stated in the Findings.

The Claimant will be reimbursed for the five (5) day suspension and it will be expunged from his record.


F. J. Domzalski
Carrier Member

Scheiderhans
Eckehard Muesig
Neutral Member

J. P. Cassese
Employee Member

Dated: DEC 1964.