

Award No. 20
Case No. 27

Public Law Board No. 3514

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

Appeal by Trackman Roger Zimmerman from 45 days actual suspension for insubordination on June 25, 1981.

FINDINGS:

The record, particularly the testimony of Assistant Supervisor Palleschi and Foremen Deese and Lorensen, supports Carrier's findings that claimant refused to comply with a direct order to run the rail lifter.

There is insufficient proof in the record to substantiate claimant's contention that the operation was unsafe and he did not accept the assignment because of any lack of qualification on his part.


AWARD:

Claim denied.

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



Harold M. Weston, Chairman



Carrier Member



Employee Member