

PUBLIC LAW BOARD NO. 3514

Case No. 19

Award No. 59

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

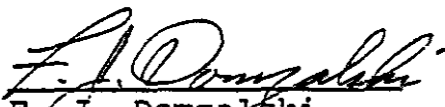
STATEMENT OF CLAIM: Appeal by former B&B Foreman J. Farrelly  
from disqualification from positions as Foreman and Assistant  
Foreman.

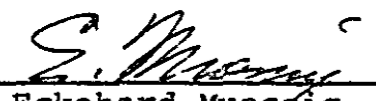
FINDING: Claimant's disqualification was decided upon after the  
Carrier found that he had violated one of its safety rules, which  
contributed to another employee sustaining a personal injury.

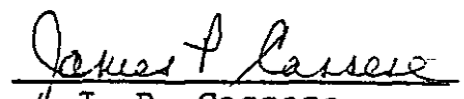
While the Claimant was remiss in the execution of his duties, the  
period of time since the violation is sufficient penalty. We are  
satisfied from our examination of the record that he should be  
afforded another opportunity to serve as a Foreman.

AWARD

The disqualification will be removed but no back pay will be due  
Claimant. To be effective within thirty (30) days of the date of  
the Award.

  
F. J. Domzalski  
Carrier Member

  
Eckehard Mueggig  
Neutral Member

  
J. P. Cassese  
Employee Member

DATED: APR 24 1985