

**PUBLIC LAW BOARD - NO. 5418**

*Case No. 34*

*Award No. 34*

PARTIES . . . . . Brotherhood of Maintenance of Way Employees  
to . . . . . - and -  
DISPUTE: . . . . . Springfield Terminal Railway Company

**STATEMENT OF CLAIM:**

Appeal of the discipline of a 2 day suspension on  
Calvin Preston on November 20, 1998.

**FINDINGS:** Subsequent to a hearing held on November 9, 1998, claimant was found guilty of violating Carrier's Safety Rule GR-N, paragraph #4, in connection with his approval of payroll time sheets for a subordinate employee, which resulted in an overpayment to the employee.

At his hearing, claimant was forthright and admitted he made a mistake with regard to the time sheets and took full responsibility for his actions. Therefore, in the Board's judgment he must bear the consequences of his actions, and we concur with Carrier's conclusion that discipline was warranted. However, the Board does take into account his 25 years of discipline-free service and determines that the discipline assessed for this first offense to be excessive and it shall be reduced to a reprimand. Thus, claimant is to be paid for the time lost during the period of suspension.

*AWARD:* As specified in the Findings.

Francis J. Domzalski  
Francis J. Domzalski  
Neutral Member

T. W. McNulty  
T. W. McNulty  
Carrier Member

Bradley A. Winter  
B. A. Winter  
Organization Member

Dated: 3-25-99