

AUG 13 1 14 PM '50

Admission: \$2.00

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood  
that:

**FINDINGS:**

When lifting: (e) ascertain in advance that the location for placing the load is suitable and when feasible, material handling devices must be used if provided.

This Board has reviewed the evidence and testimony in this case and we find that there is sufficient evidence in the record to support the finding that the Claimant was guilty of the safety rule violation with which he was charged. Therefore, the Carrier had a basis to issue discipline to him.

Once this Board has determined that there is sufficient evidence in the record to support the guilty finding, we next turn our

attention to the type of discipline imposed. This Board will not set aside a Carrier's imposition of discipline unless we find its action to have been unreasonable, arbitrary, or capricious.

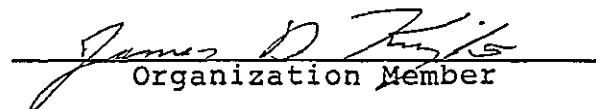
In this case, the Claimant was issued a letter of reprimand. Given the nature of the wrongdoing and his previous record, this Board cannot find that the letter reprimand was unreasonable and it actually appears to have been lenient. Therefore, the claim shall be denied.

Award:

Claim denied.

  
\_\_\_\_\_  
Neutral Member

  
\_\_\_\_\_  
Carrier Member

  
\_\_\_\_\_  
Organization Member

Date: July 30, 1990