

SPECIAL BOARD OF ADJUSTMENT NO. 1048

Award No. 33

Parties to Dispute:

Brotherhood of Maintenance of Way Employes

and

Norfolk and Western Railway Company

Statement of Claim:

Claim on behalf of P. G. Coburn for reinstatement and pay for time lost resulting from his dismissal for violation of General Safety Rules 1000 and 1110 and for falsifying an alleged on-duty injury reported on October 30, 1991.
[Carrier file MW-FTW-91-108-SG-388]


Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.


This award is based on the facts and circumstances of this particular case and shall not serve as a precedent in any other case.


AWARD

After thoroughly reviewing and considering the transcript and the parties' presentations, the Board finds that the claim should be disposed of as follows:

CLAIM SUSTAINED TO THE EXTENT THAT COBURN IS TO
BE REINSTATED WITHOUT PAY.


Thomas J. DiLauro


Richard A. Lau
Organization Member


L. F. Miller Jr.
Carrier Member

Issued at Philadelphia, Pennsylvania on August 3, 1992