

**SPECIAL BOARD OF ADJUSTMENT NO. 1049**

**Award No. 87**

Parties to Dispute:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES**

**AND**

**Norfolk Southern Railway Company**

Statement of Claim:

Claim on behalf of D. L. Colston requesting reinstatement and pay for time lost as the result of an August 7, 1996 investigation in connection with failure to follow instructions of letters dated May 21, June 3 and 15, and July 9, 1996 .

[Carrier File: MW-GNVL-96-08-LM-146]


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. Reinstall in accordance with  
the Award in Case 86.

  
Gerald E. Wallin

  
D. D. Bartholomay  
Organization Member

  
E. N. Jacobs, Jr.  
Carrier Member

Issued at Norfolk, VA on February 26, 1998