

SPECIAL BOARD OF ADJUSTMENT NO. 235

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

vs.

READING COMPANY

Award No. 30

Case No. 30

STATEMENT OF CLAIM:

1. The Carrier violated the effective agreement when it assessed B&B Paving Inspector Richard Walsh 15 days actual suspension for alleged failure to properly protect Reading Company interests in connection with alleged improper performance of the Fern Rock Company employees.

2. That Mr. Walsh now be paid 15 days pay on account of this improper suspension and any other considerations due him and that his record be cleared of the charge.

OPINION OF BOARD:

Claimant R. W. Walsh was employed as a Bridge and Building Paving Inspector on the Carrier's Philadelphia Division and his responsibilities included supervision of the activities of employees of the Fern Rock Paving Company, a contracting firm which for a number of years had performed the Carrier's paving work in the Philadelphia area. The claimant was given a 15 day suspension from service during the latter part of 1959 on the stated ground that he had been negligent in properly protecting the Carrier's interest in connection with work performed for the Carrier by the subject contracting firm.

Careful examination of the record in this case fails to disclose adequate support for the discipline assessed against claimant Walsh. The discipline must therefore be revoked and the claimant reimbursed as requested in the claim.

AWARD:

Claim sustained.

(s) Lloyd H. Bailer

Lloyd H. Bailer, Chairman

(s) A. J. Cunningham

A. J. Cunningham, Employee Member

(s) H. F. Wyatt, Jr.

H. F. Wyatt, Jr., Carrier Member

Philadelphia, Pa.,
January 29, 1963.