Award No. 1 Case No. 5 System Docket No. CR-1299-D

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

VS

CONSOLIDATED RAIL CORPORATION

## STATEMENT OF CLAIM:

"Appeal of discipline of dismissal assessed R. L. Pearcy on November 14, 1984."

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, an this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD: Claim disposed of as follows: Denied

C. A. Peacock, Neutral Member

Domzaleki, Carrier Member

d Bodd, Organization Member

Issued this 21st day of March, 1986.