

Award No. 10

Case No. 3

System Docket No. CR-1290-D

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Suspension assessed Canton Shop employee A. H. Rosenberry consisting of "time out of service" in connection with being charged with insubordination.

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.

AWARD: Claim disposed of as follows: Claim sustained.

Claimant shall be paid for all lost time in accordance with Rule 27, Section 4 of the agreement. There was no evidence to show the claimant was given a "direct order" and that he failed to comply therewith.

C. A. Peacock
C. A. Peacock, Neutral Member

F. J. Domzalski
F. J. Domzalski, Carrier Member

Jed Dodd
Jed Dodd, Organization Member

Issued this 23rd day of May, 1986.