

Award No. 11

Case No. 4

System Docket No. CR-1293-D

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

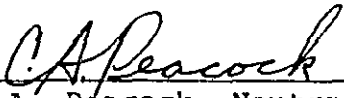
CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:


Suspension of D. Z. Osborne consisting of time held out of service (35 calendar days) 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: Considering the claimant's clear discipline record, the dialogue exchanged between the parties, and the hearing officer's display of partiality, we find the discipline to be excessive and shall be reduced to a 10 day suspension.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


J. L. Dodd, Organization Member

Issued this 23rd day of May, 1986.