

Award No. 123
Case No. 132
System Docket No. CR-2823-D

SPECIAL BOARD OF ADJUSTMENT NO. 976
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

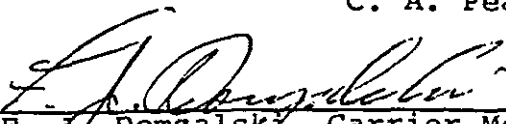
Appeal of dismissal assessed G. F. Vanderpool on December 2, 1986, in connection with being charged with unauthorized removal of Company property.

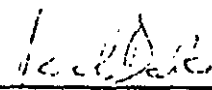
Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD: Claim disposed of as follows:

Removal of Company property without proper authorization, albeit considered abandoned, is still a serious offense which warrants discipline. However, in light of claimant's 23 years of unblemished service, his contriteness for his actions, coupled with the letters from his supervisors attesting that he is a very good employee and an asset to the Company, compels this board to afford him another opportunity .. to show that he can be relied upon. This Board will award that claimant be restored to service but without any compensation for time lost while out of service.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 23 day of July, 1987.