

Award No. 139  
Case No. 140  
System Docket No. CR-2863-D

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:

Appeal of reprimand assessed J. D. Poynter, in connection with being charged with violation of Rules B, 106 and 956 of the rules of Transportation Department, permitting tamper to be parked on fouling circuits causing delays to 5 trains.

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: Sustained: The record fails to reflect conclusive evidence to support the charges.

  
C. A. Peacock, Neutral Member

  
F. J. Domzalski, Carrier Member

  
Jed Dodd, Organization Member

Issued this 17<sup>th</sup> day of Sept, 1987.