

Award No. 170
Case No. 173
System Docket No. CR-4127-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 14 days suspension assessed C. H. Fancil, in connection with failure to properly supervise employees and equipment causing delay to Amtrak #40 and not having tools and equipment to help rerail the TH3017 while he was foreman in charge.

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:

After reviewing the facts and circumstances surrounding the incident, we feel an admonishment may have been in order, when taking into account the claimant's 12 years of discipline free service. Accordingly, the discipline will be reduced to a reprimand.

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

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

Jed Dodd
Jed Dodd, Organization Member

Issued this 26 day of Feb, 1988.