

Award No. 172
Case No. 175
System Docket No. CR-4151-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 10 days suspension assessed A. Siehl in connection with being charged with violating Safety Rules 3361(d) and 3362, which resulted in his personal injury.

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:

Clearly had the claimant been more diligent in his work performance he would not have been injured. However, with weight given to his eleven years of discipline free service, we find the discipline assessed to be excessive under the circumstances herein, and it shall be reduced to a Reprimand.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 26 day of Feb, 1988.