

Award No. 183
Case No. 186
System Docket No. CR-3290-D

SPECIAL BOARD OF ADJUSTMENT NO. 976
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
VS.
CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:


Appeal of 20 days suspension assessed A. Bigelow and permanent disqualification as a track foreman and assistant track foreman, in connection with being charged with failure to obtain permission from the Train Dispatcher to perform track work, and failure to comply with Transportation Department Rule 81 and Safety Rule 3005.


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 the record proves he was guilty of the offense with which he was charged, therefore the suspension will stand. However, we find permanent disqualification to be excessive, therefore it shall be removed after one year has elapsed with no compensation to be made to the claimant.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 8 day of April, 1988.