

Award No. 222  
Case No. 226  
System Docket No. CR-3538-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 10 day suspension assessed G. L. Saggese in connection with being charged with failure to perform duties as a Foreman and violation of Rule 213.6 from the manual for Construction and Maintenance of Track.

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:

The record does not support Carrier's conclusion that he failed to perform his duties satisfactorily, thus, he shall be exonerated in accordance with Section 4 of Rule 27.

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

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

Jed Dodd  
Jed Dodd, Organization Member

Issued this 14 day of Oct, 1988.