

Award No. 267  
Case No. 270  
System Docket No. MW-281

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

STATEMENT OF CLAIM:

Appeal of disqualification as Track Foreman  
assessed M. DiAngelo in connection with being  
charged with failure to make proper repairs.

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:

We find the Carrier's action was proper; the evidence shows  
he was remiss in the execution of his duties. However we  
feel permanent disqualification is inappropriate, therefore  
it shall be removed after one year has elapsed with no  
compensation to be made to the claimant.

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

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

Jed Dodd  
Jed Dodd, Organization Member

Issued this 13 day of October, 1989.