

Award No. 272
Case No. 275
System Docket No. MW-396

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

STATEMENT OF CLAIM:

Appeal of dismissal assessed T. A. Schmitt on May 3, 1989, in connection with being charged with unauthorized removal of Conrail-owned copper and selling same without proper authority.

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:

Denied.

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

F. J. Domzalski Jed Dodd
F. J. Domzalski, Carrier Member Jed Dodd, Organization Member

Issued this 26 day of January, 1990.