

Award No. 291

Case No. 291

System Docket No. MW-743

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of time held from service (18 days) assessed M. Waters, in connection with being charged with the unauthorized use of a company vehicle.

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 there is conflicting testimony and Carrier's charges are not fully supported. Therefore, claimant shall be compensated for assessed time held out of service.

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

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

Jed Dodd
Jed Dodd, Organization Member

Issued this 26 day of Apr., 1990.