

Award No. 297  
Case No. 297  
System Docket No. MW-890

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 T. Nelson  
in connection with being charged with  
violation of Safety Rule 3273 resulting in  
damage to a Tamper.

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:

Considering the mitigating factors involved,  
we conclude that a 5 day suspension would be more  
commensurate with the offense.

  
C. A. Peacock, Neutral Member

  
F. J. Domzalski, Carrier Member

  
Jed Dodd, Organization Member

Issued this 10 day of August, 1990.