

Award No. 298
Case No. 298
System Docket No. MW-601

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of dismissal assessed L. W. Hipple on August 18, 1989, in connection with being charged with being accident prone.

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:

In view of the circumstances and his 17 years of relatively good service prompts this Board to conclude that claimant should be afforded another opportunity to be a reliable employee. Therefore, claimant is to be restored to service but without compensation for time lost.

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

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

Jed Dodd
Jed Dodd, Organization Member

Issued this 10 day of August, 1990.