

Award No. 310
Case No. 310
System Docket No. MW-1411

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


STATEMENT OF CLAIM:


Appeal of 10 day suspension, with time out of service to apply, assessed J. R. Cullison in connection with being charged with violation of safety rule 3302 when he operated a spike machine which struck another spike machine resulting in a personal injury sustained by a co-worker. Also, failure to obey instructions regarding operation of his machine.

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, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 11 day of April, 1991.