

Award No. 350
Case No. 350
System Docket No. MW-2814

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:


Appeal of discipline assessed D. Flowers in the form of disqualification as operator of hi-rail vehicle and as I&R Foreman requiring operation of vehicle on-tracks, in connection with being charged with violation of Safety Rule 3215 and violation of Rule 811 of NORAC Rules, when he operated a company hi-rail vehicle which was involved in a collision with a highway vehicle while he travelled over a grade crossing.


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 10 day of September, 1993.