

Award No. 45  
Case No. 45  
System Docket No. CR-1894-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:


Appeal of dismissal and restitution of \$200.84 assessed D. S. Tingley on September 11, 1985, in connection with being charged with submission of fraudulent and duplicate requests for reimbursement for expenses not incurred.

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:

Based on the specific evidence presented, the conclusion of the Carrier was not unreasonable and some discipline was warranted, however, in consideration of his 11 years of service with an unblemished record, the time he has been out of service should constitute sufficient discipline. Therefore, claimant is to be restored to service but without compensation for time lost, subject to him making full restitution of \$200.84 to the Company.

  
C. A. Peacock, Neutral Member

  
F. J. Domzalski, Carrier Member

  
Jed Dodd, Organization Member

Issued this 18th day of June, 1986.