

Award No. 77
Case No. 77
System Docket No. CR-2422-D

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

VS.

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:



Appeal of time held from service (88 calendar days) assessed C. N. Nixon, in connection with being charged with unauthorized use of Company credit card during the period November 1982 through March 1986.

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:

Claim sustained. We find the record devoid of any credible evidence to prove the claimant was guilty of the offense with which he was charged, therefore, claimant is to be exonerated in accordance with Rule 27, Section 4 of the Agreement.


C. A. Peacock, Neutral Member

 F. J. Domzalski, Carrier Member  Jed Dodd, Organization Member

Issued this 12th day of November, 1986.