

Award No. 79
Case No. 79
System Docket No. CR-2481-D

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

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:


Appeal of the discipline of dismissal assessed
V. D. Nitz, in connection with being charged
with unauthorized removal and possession of
one ton of ballast from Minerva Yard and
violation of paragraph 3 of Rule L, of the
Rules of the Transportation Department.

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 13th day of November, 1986.