

Award No. 83
Case No. 86
System Docket No. CR-2540-D

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

VS.

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:


Appeal if disqualification as a foreman and 30 day suspension assessed C. W. Hull, in connection with being charged with failure to inspect track in accordance with the MW-4 instructions.

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:

Though controverted, the evidence weighs in favor of the company as it appears claimant was remiss in his inspection work, therefore the suspension will stand. However, this Board has taken into account the claimant's 19 years of service and deem he should be afforded another opportunity to serve as a foreman, consequently the disqualification will be removed but no back pay will be due claimant.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 12 day of November, 1986.