

Award No. 86
Case No. 80
System Docket No. CR-1764-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of dismissal assessed T. W. Lidderdale on July 19, 1985, in connection with being charged with unauthorized absences.

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:

The evidence adduced at the hearing supports the Carrier's determination. However, while we do not minimize the claimant's shortcomings, in our judgement, the record does not warrant permanent dismissal. Therefore, the claimant shall be restored to service, but without pay. The time out of service should act as a reminder that he is being given one last opportunity to be a reliable employee.

C. A. Peacock
C. A. Peacock, Neutral Member

F. J. Domzalski
F. J. Domzalski, Carrier Member

Jed Dodd
Jed Dodd, Organization Member

Issued this 11th day of December, 1986.