

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 claim-  
ant'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 11<sup>th</sup> day of December, 1986.