

Award No. 97
Case No. 94
System Docket No. CR-2625-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of Disqualification as I&R Foreman
assessed J. A. Carosielli, in connection with
being charged with failure to properly perform
duties as I&R Foreman.

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:

We find insufficient evidence adduced at the hearing to
convincingly prove the appellant was derelict in the
performance of his duties, therefore he shall be exonerated
in accordance with Rule 27 Section 4 of the scheduled
agreement.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 3rd day of April, 1987.