

Award No. 99
Case No. 96
System Docket No. CR-2613-D

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

VS.

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:


Appeal of twenty day suspension assessed C. E. Wilkinson, in connection with falsifying his expense account by claimaing duplicate payments.

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:

It is clear claimant failed to observe proper procedures which gave rise to the duplicate \$6.00 entry. However, we fail to detect any deliberate attempt on his part for unjust enrichment, consequently, with weight given to his 15 years of discipline free service, we find the discipline assessed to be excessive under the circumstances herein, and it shall be reduced to a Reprimand.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 3rd day of April, 1987.