

Award No. 126
Case No. 121
System Docket No. CR-2773-D

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:


Appeal of 88 day suspension assessed M. J. Figueroa, in connection with being charged with insubordination.

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 record shows that 7 other employees were charged with the same offense as the claimant and all were assessed 30 days suspension. We see no justification for imposing a greater penalty upon the claimant, therefore the suspension will be reduced to 30 days and he shall be paid for the balance of the work days lost.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 17th day of Sept., 1987.