

SPECIAL BOARD OF ADJUSTMENT NO. 1048

Award NO. 60

Parties to Dispute:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

AND

Norfolk and Western Railway

Statement of Claim:

Claim on behalf of E. J. Bowman requesting that he be reinstated to service and paid for time lost, as a result of his dismissal from service following formal investigation held on July 22, 1994, in connection with his violation of Rule 1000; his making false statements regarding an alleged injury of May 18, 1994; and his failure to follow the instructions of his supervisors.

[Carrier File: MW-ROAN-94-20]

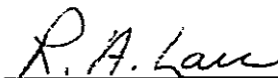
Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

This award is based on the facts and circumstances of this particular case and shall not serve as a precedent in any other case.

AWARD

After thoroughly reviewing and considering the transcript and the parties' presentations, the Board finds that the claim should be disposed of as follows:

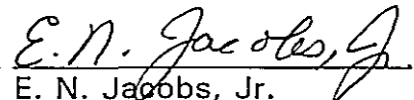
AN AWARD FAVORABLE TO CLAIMANT WILL
NOT BE MADE



Richard A. Lau
Organization Member



John C. Fletcher



E. N. Jacobs, Jr.
Carrier Member

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Issued at Norfolk, VA on October 16, 1996