

SPECIAL BOARD OF ADJUSTMENT NO. 1049

Award No. 13

Parties to Dispute:

Brotherhood of Maintenance of Way Employees

and

Norfolk Southern Railway Company

Statement of Claim:

J. R. Carroll and S. R. Hicks-Request pay for 10 days suspended in connection with collision between company truck and vehicle [file number MW-BHAM-90-7].

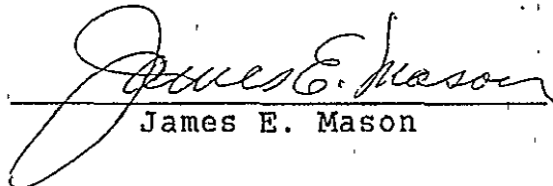
Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject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

Claim disposed of as follows:

Foreman Carroll is to have the discipline removed from his record and paid for time lost. Laborer Hicks is to have his discipline reduced to a 5-day suspension.


James E. Mason


Richard A. Lau
Organization Member


L. F. Miller, Jr.
Carrier Member

Issued at Norfolk, Virginia, May 29, 1991