

SPECIAL BOARD OF ADJUSTMENT NO. 1049

Award No. 59

Parties to Dispute:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

AND

NORFOLK SOUTHERN RAILWAY COMPANY

Statement of Claim:

Claim on behalf of G. E. Boyd 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 June 1, 1994, in connection with his violation of Rule 1000 and falsification of an alleged injury of May 11, 1993.

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.

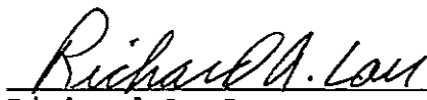
AWARD


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

AMPLE EVIDENCE IS CONTAINED IN THE RECORD TO
INDICATE CLAIMANT WAS GUILTY OF THE CHARGES
ON WHICH DISCIPLINE WAS ISSUED

CLAIM DENIED


John C. Fletcher


Richard A. Lau
Organization Member


E. N. Jacobs, Jr.
Carrier Member

Issued at Ft. Lauderdale, FL on December 12, 1994