

Award No. 157
Case No. 160
System Docket No. CR-4023-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 10 days deferred suspension assessed
C. D. Frances, in connection with being
charged with failure to comply with Safety
Rule 3030, resulting in his personal injury.

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
the 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: _____

Considering the mitigating factors involved, we find the
discipline, albeit, deferred, to be excessive and it shall be
modified to a reprimand.

C. A. Peacock
C. A. Peacock, Neutral Member

F. J. Domzalski
F. J. Domzalski, Carrier Member

Jed Dodd
Jed Dodd, Organization Member

Issued this 26 day of Feb, 1988.