

Award No. 160  
Case No. 163  
System Docket No. CR-4071-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 5 days suspension assessed C. W. Neff, in connection with being charged with failing to comply with Safety Rules 3355 and 3361(c) which resulted 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 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:

We find no evidence in the record to prove that he violated the safety rules, consequently, claimant is to be exonerated in accordance with Rule 27, Section 4 of the Agreement.

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.