

Award No. 196
Case No. 204
System Docket No. CR-3358-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

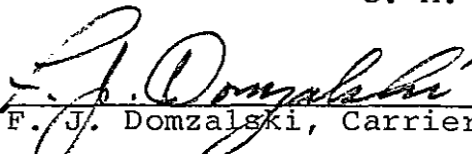
Appeal of time held from service assessed R. Rothermel in connection with being charged with violation of Safety Rule 3000 and falsely claiming a personal injury.

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:

The evidence does not clearly show that the claimant falsified his injury but did report it late. The record shows he was held from service for approximately 4 months for this offense. While we deem the Carrier's action to be proper, in view of his 37 years of discipline free service, the discipline will be reduced to a 60 day suspension.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 4th day of August, 1988.