

Award No. 236
Case No. 237
System Docket No. CR-3749-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 20 day suspension assessed T. L. Monahan in connection with being charged with violation of Rules F and 827C of the Transportation Department and violation of 213.6 of the MW-4 Manual causing an out of service condition.

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 shows the claimant was remiss in the execution of his duties and discipline was warranted. However, considering claimant's 13 years of good service, we find the discipline assessed to be excessive and it shall be reduced to a 10 day suspension.

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

F. J. Donzalski
F. J. Donzalski, Carrier Member

Jed Peck
Jed Peck, Organization Member

Issued this 21 day of April, 1989.