

Award No. 276
Case No. 279
System Docket No. MW-470

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 45 days suspension and disqualification as a Foreman assessed J. L. Maglov II, in connection with being charged with failure to perform duties as a Track Foreman.

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 do not find sufficient evidence to convince this Board that claimant was guilty of the charges, thus he shall be exonerated pursuant to Section 4 of Rule 27.

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 January, 1990.