

Award No. 285

Case No. 285

System Docket No. MW-604

SPECIAL BOARD OF ADJUSTMENT NO. 976

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 30 day suspension and disqualification from operating hoisting equipment assessed H. M. Heckenbury, in connection with being charged with failing to operate a crane in a safe and proper manner.

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 the Carrier's action was proper and the suspension will stand. However, we feel permanent disqualification is inappropriate; therefore, it shall be removed after one year has elapsed with no compensation to be made to the claimant.

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 August April 1990.