

Award No. 301
Case No. 301
System Docket No. MW-1068

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

VS.

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:

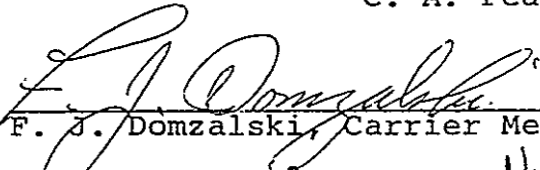
Appeal of 11 day suspension assessed
L. H. Luderman, in connection with being
charged with failure to perform duties of his
I&R Inspector position when he failed to
detect and report wide gauge during inspection
tours resulting in a derailment of 3 cars.

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:

Considering all factors involved and noting that claimant has
16 years of discipline free service, we conclude the amount of
discipline to be excessive and deem that a reprimand would be
more commensurate with this first offense.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 9 day of November, 1990.