

Award No. 318  
Case No. 318  
System Docket No. MW-1478

SPECIAL BOARD OF ADJUSTMENT NO. 976  
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
VS.  
CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of 90 days suspension assessed A. J. Whear, in connection with being charged with violation of Safety Rules 3260-A, B and C, 3321-O and 3322-A, resulting in collision of a tamper and causing damage and personal injuries.

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:

Denied.

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

F. J. Domzalski  
F. J. Domzalski, Carrier Member

Jed Dodd  
Jed Dodd, Organization Member

Issued this 13 day of September, 1991.