

Award No. 328  
Case No. 328  
System Docket No. MW-2097

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


STATEMENT OF CLAIM:

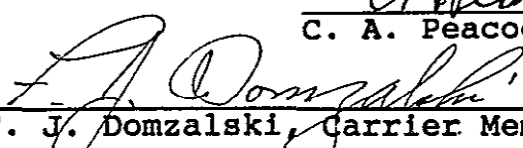
Appeal of 30 day suspension assessed F. E. Stephens, in connection with being charged with violations of NORAC Rule 101 and Safety Rules 5, 3256 and 3418 when on June 3, 1991 he parked his vehicle afoul of No. 2 Track at Moraine Yard, thereby causing it to be struck by a railroad tank car.

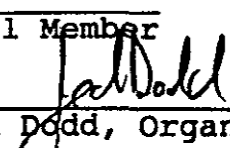
Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD: Claim disposed of as follows:

Denied

  
C. A. Peacock, Neutral Member

  
F. J. Domzalski, Carrier Member

  
Jed Dodd, Organization Member

Issued this 13 day of July, 1992.