

Award No. 69
Case No. 69
System Docket No. CR-1353-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal for the difference in wages while disqualified as a foreman assessed to R. R. Ciezynski in connection with being charged with failure to properly supervise employees by permitting them to violate Safety Rules.

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 no evidence in the record to prove the claimant was derelict in his duties as a supervisor or that he consciously condoned safety rule infractions by his subordinates, therefore, claimant is to be exonerated in accordance with Rule 27, Section 4 of the Agreement.

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

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

Jed Dodd
Jed Dodd, Organization Member

Issued this 25 day of September, 1986.