

Award No. 93
Case No. 89
System Docket No. CR-2553-D

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

VS.

CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:


Appeal of five day suspension assessed T. P. Gurrea in connection with being charged with violation of Safety Rule 3355 which resulted in his personal injury.

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:

After a careful review of the facts and circumstances prevalent in this case, we conclude the claimant was not in violation of the Safety Rule. Consequently, the claimant will be exonerated in accordance with Rule 27 Section 4 of the schedule agreement.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 3rd day of April 1987.