

The suspension in this case grew out of a confrontation between the Claimant and two (2) AMTRAK Police Officers. The Claimant is charged with violation of Rule F -- pertaining to using safe work practices and observing safety regulations; Rule J -- pertaining to acceptable personal conduct on the job; Rule M -- pertaining to using work time for non-work related reading, etc; and Rule Y -- pertaining to a duty to obey and conform with instructions issued by the Carrier. The essence of the charges against the Claimant is that he was improperly parked in a restricted area, reading a newspaper when approached by two AMTRAK Police Officers. His initial reaction to their query as to his being there and for identification was to ignore them. When they endeavored to open his car door, he purportedly closed the window, started his car and sped away at an excessive rate.

Giving the Claimant the benefit of the doubt as to Rules M and Y, the record is sufficient to support the Carrier's disciplinary action on violations of Rule F and J. While the Organization may wish to argue "shades of gray" as to the extent of the Claimant's disdain and disobedience to efforts by the AMTRAK Police to carry out their responsibilities, the transcript leaves little to be doubted that the Claimant's conduct was patently unreasonable and unacceptable. We find the record sufficiently supportive of the discipline assessed against the Claimant.

A W A R D

Claim is denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 1st day of August, 1979.