

**PARTIES TO DISPUTE:**

Parties to said dispute waived right of appearance at hearing thereon.

Award No. 8205  
Docket No. 7940  
2-N&W-SM-'79

Pursuant to investigation properly held the claimant was dismissed from the service of the carrier after having been found to have violated a company regulation by having been convicted of a felony, to wit: the distribution of a controlled substance. The company regulation reads as follows:

"The conduct of any employee leading to conviction of any misdemeanor involving moral turpitude (including, without limitation, the unlawful use, possession, transportation or distribution of narcotics or dangerous drugs) or of any felony is prohibited."

The record of the investigation supports the carrier's finding that the claimant had indeed been convicted of a felony which was a breach of the regulations. The crime for which claimant was convicted was serious. The penalty of dismissal is well within the bounds of reason for cases such as this. The carrier is not required to deal lightly with employees who engage in felonious drug dealing.

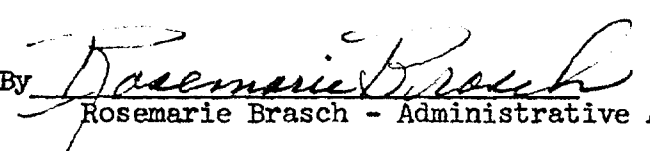
A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest: Executive Secretary  
National Railroad Adjustment Board

By

  
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 19th day of December 1979.