

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

**Award Number 22501**  
**Docket Number CL-22654**

**Paul C. Carter, Referee**

**(Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers  
Express and Station Employees**  
**PARTIES TO DISPUTE:** (  
(Illinois Central Gulf Railroad

**STATEMENT OF CLAIM:** Claim of the System Committee of the **Brotherhood**  
(GL-8697) that:

(1) **Carrier** erred when it dismissed Clerk **Elmer C. Bloucher**  
from service on December 14, 1976, as a result of an investigation held  
on December 10, 1976, and that

(2) **Carrier** shall now be required to restore Clerk **Bloucher**  
to service with all rights unimpaired and with compensation for all  
time lost.

**OPINION OF BOARD:** Following a formal investigation conducted on  
December 10, 1976, claimant was dismissed from  
service on December 14, 1976, for being under the influence of an  
intoxicant when reporting for work on the 3:00 P.M. to 11:00 P.M.,  
Porter-Messenger assignment at East St. Louis, Illinois, on December 3,  
1976.

The Board has carefully reviewed the transcript of the  
investigation, and finds that claimant received a fair and impartial  
hearing, and that none of his substantive procedural rights was  
violated.

There was substantial evidence in support of the charge for  
which claimant was dismissed from the service. Also, his prior record  
was less than satisfactory. There is no proper basis for this Board to  
interfere with the discipline imposed by the Carrier. The claim will  
be denied.

**FINDINGS:** The Third Division of the **Adjustment** Board, upon the whole *record* and **all** the evidence, finds and holds:

**That** the parties waived **oral hearing**;

That the Carrier and the **Employees** involved in **this** dispute **are** respectively Carrier and **Employees** within the **meaning** of the Railway Labor Act, as approved June **21, 1934**;

That this Division of the Adjustment Board has **jurisdiction** over the dispute involved herein; and

**That** the Agreement **was** not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: *A. W. Pauline*  
Executive Secretary

Dated at Chicago, Illinois, this **31st** day of August 1979.

*[Faint circular stamp]*