

For 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

Award No. 26837  
Docket No. MW-27151  
88-3-86-3-218

The Third Division consisted of the regular members and in addition Referee Ronald L. Miller when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employes  
(Soo Line Railroad Company (formerly Chicago, Milwaukee,  
(St. Paul and Pacific Railroad Company)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

(1) The dismissal of Crane Operator R. C. Jones for alleged 'falsification of your timesheet' (for the pay period August 8 through August 15, 1984), was without just and sufficient cause and on the basis of unproven charges (System File C #11-85/D-2671).

(2) The claimant shall be reinstated with seniority and all other rights unimpaired, his record cleared of the charges leveled against him and he shall be compensated for all wage loss suffered."

FINDINGS:

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

The record of this case clearly establishes that the Claimant: (a) falsified his time sheet by knowingly claiming pay for time not worked on August 10, 1984, (b) claimed mileage for the pay period of August 8 through 15, 1984, in excess of what he knew or should have known to be properly reimbursed, and (c) claimed reimbursement for lodging that was neither due him nor authorized by proper authority.

There is no reasonable basis for the Claimant to be confused regarding proper reimbursement. He had been instructed on how to claim expense reimbursement. The Claimant also received instruction regarding the preparation of time slips, moreover, he admitted to leaving work early without authority.

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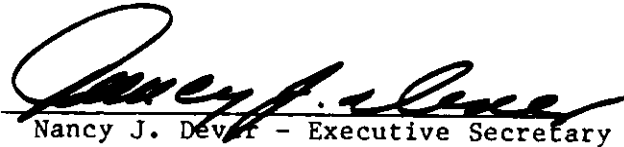
It is the opinion of the Board that discipline has served its purpose in this matter. Therefore, the Claimant should be reinstated to service with seniority unimpaired, but without pay for time lost.

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Devor - Executive Secretary

Dated at Chicago, Illinois, this 25th day of February 1988.