

Award No. 17
Case No. 17

Public Law Board No. 2203

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

1. Claimant P. Chappus's dismissal was unjust and arbitrary.
2. Carrier shall reinstate claimant with all rights unimpaired and payment for all time lost.

FINDINGS:

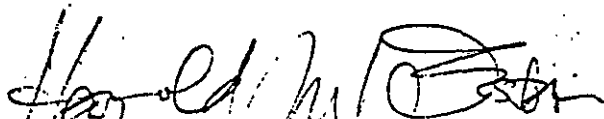
The present case and our Award 14 concern the same basic situation, contentions, rules and evidence and we find no persuasive reason for reaching a different conclusion here than we did in Award No. 14. Testimony received in a different hearing that claimant did not attend is not admissible in this case since no opportunity was afforded for cross-examination.

AWARD:

Claimant to be reinstated immediately but without back pay.

2203- AWD. 17

Adopted at Philadelphia, Pa., May 17, 1979.


Harold M. Weston, Chairman
Carrier Member
Employee Member