

Award No. 13
Case No. 6

Public Law Board No. 2363

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Louisville and Nashville Railroad Company

STATEMENT
OF
CLAIM:

1. The dismissal of Crane Operator A. R. Booker was without just and sufficient cause and unduly severe.
2. Carrier shall reinstate claimant with all benefits and privileges of Rule 27(f).

FINDINGS:

The evidence establishes that claimant charged food, telephone calls and lodging to a Company credit card without authorization. In doing so, he was in flagrant violation of verbal and written instructions that had been issued to him and other employees by Carrier.

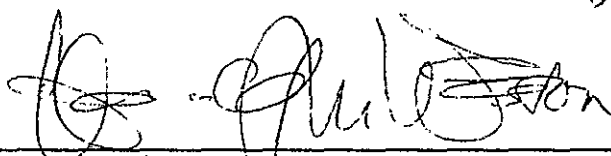
While we do not find that claimant actually intended to defraud Carrier, we are not persuaded that this Board can require Carrier to retain him in its employ in the light of

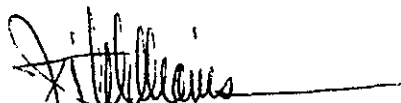
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this record. No sound excuse has been given for his breach of the employment relationship, a breach that we regard as very serious.

AWARD:

Claim denied.

Adopted at Louisville, Kentucky, *January 7,* 1980.

Harold M. Weston, Chairman

Carrier Member

Employee Member