

PUBLIC LAW BOARD NO. 2366

AWARD NO. 12

CASE NO. 22

CASE #1279 MW

FILE: 11-142-T-79

PARTIES TO DISPUTE:

Illinois Central Gulf Railroad Company

and

Brotherhood of Maintenance of Way Employees

STATEMENT OF CLAIM

"(1) The dismissal of Trackman M. C. Deck for alleged insubordination was without just and sufficient cause and wholly disproportionate to such a charge.

(2) Trackman M. C. Deck shall be allowed the remedy prescribed in Rule 33(i)."

OPINION OF BOARD

Subsequent to an investigation, the Claimant was terminated for insubordination in refusing to follow a direct order of his Supervisor.

The Employee had been recalled from a furlough status due to a severe snow storm necessitating assistance in restoring the yard to operational capability.

The fact that the Employee may have volunteered to perform certain service does not mean that he is immune from following basic orders.

The record before us contains sufficient evidence to support a conclusion that the Employee failed to follow reasonable instructions given to him by his Supervisor and, under the circumstances of this case, that refusal was grounds for termination of employment.

FINDINGS

The Board, upon consideration of the entire record and all of the evidence finds:

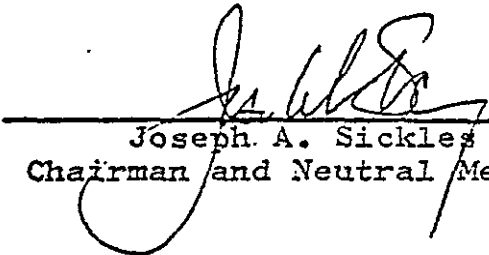
The parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended.


This Board has jurisdiction over the dispute involved herein.

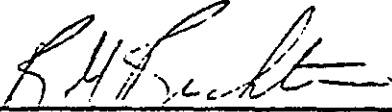
The parties to said dispute were given due and proper notice of hearing thereon.

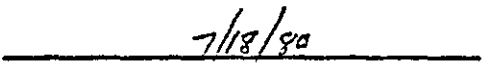
AWARD

Claim denied.

  
\_\_\_\_\_  
Joseph A. Sickles  
Chairman and Neutral Member

  
\_\_\_\_\_  
Hugh G. Harper  
Organization Member

  
\_\_\_\_\_  
R. G. Richter  
Carrier Member

  
\_\_\_\_\_  
7/18/80  
/DATE

2366 - Award 12