

PUBLIC LAW BOARD NO. 2366

AWARD NO. 53

DOCKET NO. 67

PARTIES TO DISPUTE:

Illinois Central Gulf Railroad Company

and

Brotherhood of Maintenance of Way Employees

STATEMENT OF CLAIM

- "(1) The dismissal of C. E. Robinson for alleged violation of Rule G was without just and sufficient cause and on the basis of unproven charges...
- "(2) Claimant C. E. Robinson shall be reinstated with seniority and all other rights unimpaired and compensated for all wage loss suffered."

OPINION OF BOARD

Claimant was instructed to attend an investigation concerning an asserted Rule G violation.

Carrier presented testimony to the effect that the Employee had slurred speech, difficulty of locomotion, an odor of alcohol about him, etc. Claimant presented evidence to the contrary.

We are not constituted to substitute our judgment for that of the Carrier or to disturb credibility findings.

FINDINGS

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

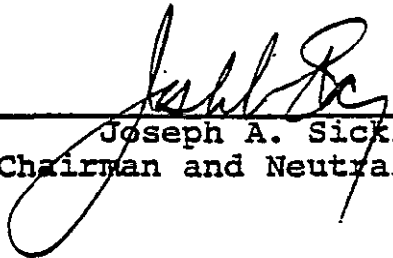
The parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended.

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.



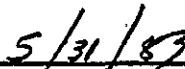
Joseph A. Sickles
Chairman and Neutral Member



J. S. Gibbins
Carrier Member



Hugh G. Harper
Organization Member



DATE