

Award No. 25  
Case No. 32

Public Law Board No. 3514

PARTIES  
TO  
DISPUTE:

Brotherhood of Maintenance of Way Employees  
and  
Consolidated Rail Corporation

STATEMENT  
OF  
CLAIM:

Claim by Track Foreman Robert Perez for reinstatement and reimbursement of all pay lost as result of his dismissal on May 4, 1983.

FINDINGS:

Claimant was dismissed on the basis of Carrier's findings that he had misused a Company credit card on a number of dates in November and December 1982 and in January, February and March 1983 to purchase gasoline for his own personal use.

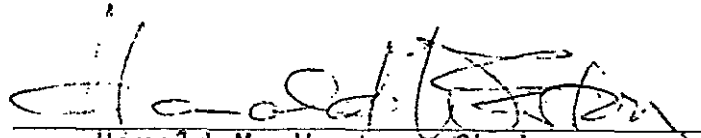
Carrier's findings are supported by substantial credible evidence, including the testimony of the cashier at the gas station in question and of Conrail police officers. It appears from the evidence that his purchases of gasoline for his own use, when using the Company credit card, amount to \$370.76 and covered some 20 different occasions.

The record discloses no reversible procedural error. We find no valid ground for setting aside Carrier's decision to dismiss claimant for unauthorized use of a Company credit card.

AWARD:

Claim denied.

Adopted at Philadelphia, Pa., October 4, 1984.

  
Harold M. Weston, Chairman

  
Carrier Member

  
Employee Member