

Award No. 26
Case No. 33

Public Law Board No. 3514

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

Claim by John Mooney for reinstatement and reimbursement for all loss of pay resulting from his dismissal on January 23, 1981.

FINDINGS:

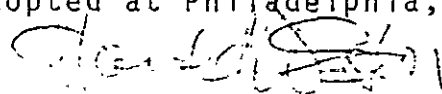
Claimant, an iron worker, was dismissed for operating a Conrail vehicle on January 1, 1981, without a driver's license and while under the influence of alcohol. Carrier's findings are supported by substantial evidence and claimant admits that he lacked permission to use the vehicle. He was also dismissed for failing to protect his assignment on that date.

We find no persuasive basis for reversing Carrier's decision to dismiss claimant.

AWARD:

Claim denied.


Adopted at Philadelphia, Pa., October 4, 1984. 三



Harold M. Weston, Chairman



L. A. Donatelli, Member



James T. Casper, Member