

Case No. 312      Award No. 312

STATEMENT OF CLAIM:

FINDINGS: The essential elements of this claim involve the Carrier's application of its Drug Testing Policy. This policy, in pertinent part, provides that an employee whose first drug test is positive will have an opportunity for an evaluation by the Carrier's Employee Counseling Service. The employee then, in effect, has the following choices.


- The Organization has strenuously argued before this Board with well-reasoned contentions, both procedural and substantive, that the claim must be sustained. The Board has carefully considered the Organization's advocacy on this matter and, while the Organization's views are not without merit, we find that the Carrier's position must prevail. In this respect, we particularly note that the Carrier's policy and similar drug addiction policies, have been upheld on numerous occasions by arbitral authority in this industry.

With respect to this claim, the evidence shows that the Claimant failed to comply with the Carrier's April 3, 1987 letter which in-

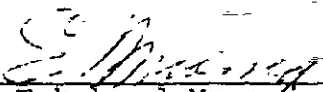
structed him to rid his system of Cannabinoid and provide a negative urine sample within 45 days.

AWARD

The claim is denied.



F. J. Domzalski  
Carrier Member



Eckenhard Muesig  
Neutral Member



J. P. Cassese  
Employee Member

Dated: August 31, 1989