

Award No. 4
Case No. 4

Public Law Board No. 3514

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

Claim by James Thomas for reinstatement and pay
for all time lost as a result of his dismissal.

FINDINGS:

Claimant, a vehicle operator with 10 years service,
was dismissed for unauthorized use of a Company
credit card to purchase gas for a privately owned
Ford. Claimant was entrusted with the Company
credit card for purposes of fueling the Company
bus he is assigned to operate in the regular course
of his duties as an employee. There was no excuse
for using the card to obtain gas for the Ford.

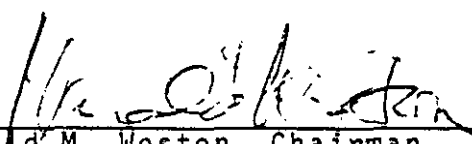
Claimant admitted making the unauthorized purchase.
He also testified, and it appears that he has made full restitution.
His explanation was that he needed the gas to come to work since he
had no money at the time.

The use of a Company credit card for purchases
of a private nature is a serious offense that will not be tolerated.
In this instance, because of claimant's good record, we will direct

Carrier to reinstate claimant to service, but without back pay. Employees are warned not to use Company credit cards for any purpose unrelated to Company business; this Board will deal strictly with future violations of this character.

AWARD: Claimant reinstated without back pay. To be effective within 30 days.

Adopted at Philadelphia, Pa., July 12, 1984.


Harold M. Weston, Chairman


Carrier Member


Employee Member