

PUBLIC LAW BOARD NO. 3514

Case No. 611 Award No. 611

PARTIES Brotherhood of Maintenance of Way Employees
to - and -
DISPUTE Consolidated Rail Corporation

STATEMENT OF CLAIM:

Appeal of Plumber, M. L. Armstrong, to have
his discipline of dismissal set aside.

FINDINGS: The Claimant was found guilty of insubordination because
he failed to comply with a direct order of his Supervisor that he
was not to take a Carrier vehicle to his home.

We find substantial evidence to support the Carrier's charges.
Given that the Claimant had been disciplined on previous occasions
for a similar offense and because proven insubordination is a dismiss-
ible offense, the Board has no basis to set this matter aside.

AWARD

The claim is denied.

J. C. Ardison
J. C. Ardison
Carrier Member

E. Muessig
Eckehard Muessig
Neutral Member

F. K. Geller, Sr.
F. K. Geller, Sr.
Organization Member

Dated: 1-8-96