

PUBLIC LAW BOARD NO. 3514

Case No. 90

Award No. 75

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

STATEMENT OF CLAIM: Appeal of B & B Mechanic, J. Vizzacchero,  
to have his discipline of dismissal removed from his record and to be  
restored to the service.


FINDINGS: The Claimant was notified to attend an investigation on  
charges relating to his actions while on duty January 15, 1982.  
The Carrier listed nine (9) charges which principally contended  
that the Claimant did not properly perform his assigned duties and  
used intoxicants while on duty.

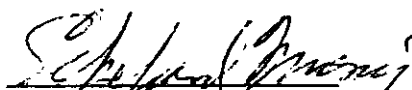
We have reviewed the record in its entirety and find that  
the evidence supports the Carrier's conclusions that the Claimant's  
performance was substantially unsuitable.

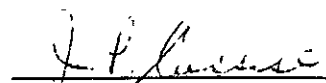
Under the circumstances shown by the record, we do not find  
the discipline assessed to be arbitrary or capricious.

AWARD

The claim is denied.

  
F. J. Domzalski  
Carrier Member

  
Eckehard Muessig  
Neutral Member

  
J. P. Cassese  
Employee Member

Dated: Aug 20 1986