

PUBLIC LAW BOARD NO. 3514

Case No. 88

Award No. 93

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

STATEMENT OF CLAIM: Appeal of B & B Mechanic Eric Fortier  
to have fifteen (15) days suspension removed.

FINDINGS: The Claimant was notified to attend an investigation  
on the following charges: Failure to report to work location  
promptly; failure to follow instructions from proper authorities  
and perform duties efficiently and safely; failure to devote  
himself exclusively to the Company's service while on duty; in-  
subordination and willful disregard of the Company's interest in  
that work was not performed as prescribed.

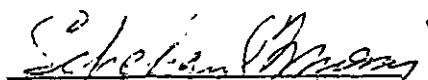
Subsequent to the investigation, the Claimant was notified  
that he had been found guilty and was suspended as noted above.

In Award No. 66 of this Board, in which the claim therein came  
about as a result of the same incident that occurred on January 14,  
1982, we found that in order to be consistent with the application  
of discipline, the suspension was to be set aside. We find the same  
here, for the same reasons.

AWARD

The claim is sustained.

  
F. J. Domzalski  
Carrier Member

  
Eckehard Müessig  
Neutral Member

  
J. P. Cassese  
Employee Member

JAN 23 1986