

Parties  
to the  
Dispute

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs.

CONSOLIDATED RAIL CORPORATION

Case No. 13

*Award No. 22*

STATEMENT OF CLAIM

1. That W. D. Ashton, employed by the railroad for eight and one half years prior to the instant incident, be restored to service with his seniority standing unimpaired and consideration for his wage loss suffered as a result of his dismissal from September 15, 1982.
2. That W. D. Ashton's record be cleared of all charges brought against him.

OPINION OF THE BOARD

At the time of the incident that resulted in his dismissal from service, Claimant W. D. Ashton was employed as a Machine Repairman at Canton, Ohio. On September 17, 1982, he was charged with theft of Company property (a battery charger) and directed to attend a hearing into the matter. A hearing was held and as

a result of that hearing, Claimant was found guilty as charged and dismissed from Company service.

This Board has reviewed the record and can find no basis on which to return Claimant to work. He was guilty of stealing; he admitted it in the hearing. Leniency can be granted by Carrier, but not by this Board.

AWARD

The claim is denied.

  
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R. E. Dennis, Neutral Member

  
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J. Dodd, Employee Member

  
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R. O. Neil, Carrier Member

  
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Date of Adoption