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## Case No. 12

Carrier maintains that Carrier's agents observed Claimant far from his work site for substantial periods of time on October 9 and 11, 1983. Yet, it notes, his time rolls reveal eight hours of work. Thus, it submits, the rolls were falsified. Given this factor, Carrier asserts that Claimant's discharge was justified.

A review of the record convinces this Board that Claimant's discharge must be upheld. Carrier's witnesses testified that Claimant was at his work site for approximately one hour and twenty minutes on October 9, 1983. Thus, Claimant clearly did not perform work at the proper site on that day, despite recording that he worked the full eight hours.

Moreover, Claimant testified that he used his personal auto to inspect track. However, his report states that he used Carrier's motor car. Clearly, this inconsistency must weigh heavily against Claimant.

Stated simply, the, the record evidence reveals that Claimant utilized his personal auto during substantial portions of the work day for activities unrelated to his position. Despite this, he recorded that he worked a full eight hours on each day.

Carrier has a right to expect honesty from his employees. Claimant did not exhibit honesty. In fact, he is guilty of theft of time on the days in question. Thus, despite long seniority Claimant's discharge must be upheld. Accordingly, and for the foregoing reasons, the claim must be rejected.

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FINDINGS: The Public Law Board No. 4104 upon the whole record and all of the evidence, find and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act as approved June 21, 1934;

That the Public Law Board No. 4104 has the jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

AWARD:

Claim denied.

  
P. Swanson, Employee Member

  
E. Kallinen, Carrier Member

  
Martin E. Scheinman, Neutral Member

Feb. 7, 1989