

PUBLIC LAW BOARD NO. 4615

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

VS

CONSOLIDATED RAIL CORPORATION

AWARD NO. 100  
CASE NO. 100

DOCKET NO.: MW-932-D

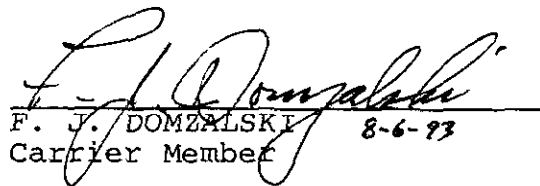
CLAIMANT: C. WOODBRIDGE

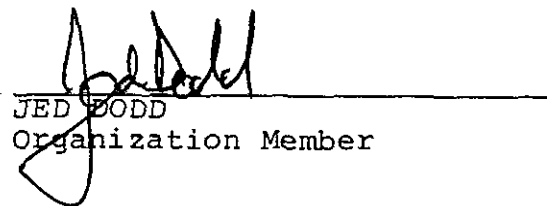
STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

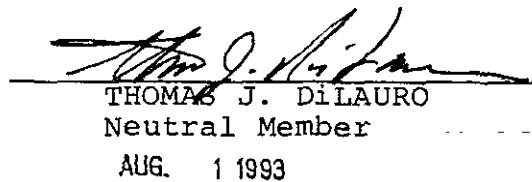
1. The dismissal of Mr. C. Woodbridge for alleged '... failure to comply with the Conrail Drug Testing Policy as you were instructed in letter dated November 15, 1989 from Medical Director T. Nowosiwsky, M.D., in that you did not, within 45 days of that letter provide a negative drug screen.' was without just and sufficient cause, arbitrary, capricious, on the basis of unproven charges and in violation of the Agreement (System Docket MW-932).
2. As a consequence of the violation referred to in Part 1 above, the Claimant shall be reinstated with seniority and all other rights unimpaired, including overtime and benefits, his record shall be cleared of the charges leveled against him and he shall be paid for all wage loss suffered."

AWARD

The Claim is sustained in part and denied in part. The Claimant is to be reinstated immediately without back pay or benefits but with seniority unimpaired.

  
F. J. DOMZALSKI  
Carrier Member 8-6-93

  
JED DODD  
Organization Member

  
THOMAS J. DiLAURO  
Neutral Member  
AUG. 1 1993