

BROTHERHOOD OF MAINTENANCE OF
WAY EMPLOYES

vs.

CONSOLIDATED RAIL CORPORATION

Case No. 48

Award No. 48

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

1. The dismissal of Mr. L. Carper for alleged '... failure to comply with the Conrail Drug Testing Policy as you were instructed in letter dated August 12, 1987, and letter dated September 23, 1987 from Medical Director G. R. Gebus, in that you did not within the specified time, provide a negative drug screening.' was without just and sufficient cause, arbitrary, capricious, on the basis of unproven charges and in violation of the Agreement (System Docket CR-3609D).
2. As a consequence of the violations referred to in Part 1 above, the Claimant shall be reinstated with seniority and all other rights including overtime and benefits unimpaired, his record shall be cleared of the charges leveled against him and he shall be paid for all wage loss suffered."

2. As a consequence of the violations referred to in Part 1 above, the Claimant shall be reinstated with seniority and all other rights including overtime and benefits unimpaired, his record shall be cleared of the charges leveled against him and he shall be paid for all wage loss suffered."


48-4615

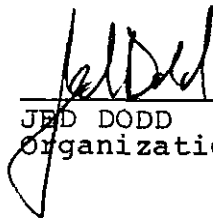
Case No. 48

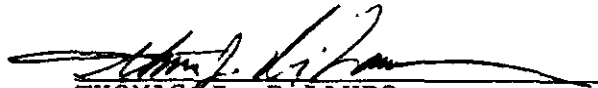
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AWARD

The Claim is denied in its entirety.


F. J. DOMZALSKI
Carrier Member 4-8-93


JED DODD
Organization Member


THOMAS J. DiLAURO
Neutral Member
APR. 1 1993