

PUBLIC LAW BOARD NO. 1582

PARTIES) ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
TO)
DISPUTE) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYERS

STATEMENT OF CLAIM: Claim that the personal record of Southern Division Extra Gang Foreman E. J. McDade, Jr., be expunged of the twenty (20) demerits assessed as a result of formal investigation held on June 8, 1981, and that he be compensated for all wage loss and expenses incurred in connection with attending the formal investigation.

FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.


In this dispute the claimant was charged with leaving the keys in a Carrier pickup truck and a Carrier credit card in the glove compartment. The rules require the employees to lock the pickup and secure the credit card.

Herein the evidence establishes that a check was being made on vehicles, and this pickup under the claimant's control was found with the windows rolled down, the keys in the ignition, and the credit card in the glove compartment.

The transcript of 26 pages has been carefully studied and considered. The claimant contended he had locked the pickup and placed the keys under the hood. On that basis the claimant urged there must have been two sets of keys to the pickup. There is no evidence to support this contention.

After reviewing all of the testimony, the Board finds there is no justification to set the discipline aside.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member