

PUBLIC LAW BOARD NO. 1582

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

STATEMENT OF CLAIM: Claim for reinstatement of former Los Angeles Division Trackman H. C. Robinson with seniority, vacation and all other rights and benefits and that he be compensated for wage loss beginning December 31, 1980, account discipline (dismissal) accepted by claimant was excessive.

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 being abusive, vicious, and under the influence of intoxicants while on duty at the Sheila Street Material Yards on December 31, 1980.

On the date of the investigation the claimant herein, in the presence of the Local Chairman, waived his right to an investigation and accepted responsibility in connection with the charge. On January 28, 1981 the claimant accepted dismissal for his responsibility.

Therefore there is no basis to overrule the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member