

PUBLIC LAW BOARD NO. 1613

Parties to Dispute:

United Transportation Union (E-C)

and

Southern Railway Company

Statement of Claim:

Claim of Engineer R. F. Holt, Piedmont Division, (Charlotte District, South), for restoration to service and pay for time lost; dismissed for conduct unbecoming an employee, August 18, 1978.

Opinion of Board:

Claimant was called to an investigation and found responsible in a fight with another employee. He was dismissed.

Claimant was on vacation and the employee who was hit was off duty, and the altercation was near the depot. The dispute was related to the conduct of Carrier's business.

Without in any way condoning claimant's action, we find that the degree of discipline was too severe and allow his return to service, but without pay for time lost.

Award:

Claim sustained as per opinion. Carrier shall make this award effective within thirty days from date.

Dated this        day of November, 1979, at Washington, D. C.



John B. Criswell, Neutral Member



T. C. Sneller, Carrier Member



R. M. Gambrell, Organization Member