

Award No. 12
Case No. 13

Public Law Board No. 3514

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

Claim by Trackman Louis Criscio for reinstatement
and back pay.

FINDINGS:

Claimant was dismissed for misusing Control Form
620.

Amtrak Form 620's were issued to claimant for the
January 6 through September 6, 1982 period. The record establishes
that six Amtrak Arts tickets were obtained from passengers on Amtrak
#74 by the conductor on September 7, 1982; the tickets were issued
against the Form 620's that had been issued to claimant. One person,
not a Conrail employee, attempted to obtain a refund against several
Amtrak Arts tickets issued against Form 620's that had been issued to
claimant. Some of the 620's had been obtained by claimant between
December 10, 1981 and April 21, 1980, when he was on furlough.

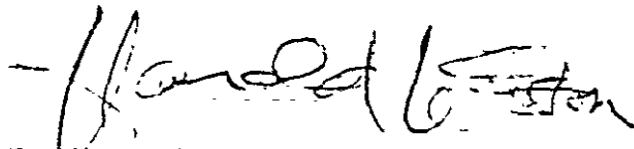
Form 620's are given to Conrail employees for their
use in getting to work. They are for the exclusive use of Conrail em-
ployees and must not be distributed to any other persons.

Though controverted, the evidence is sufficiently substantial to support Carrier's findings of misuse by claimant of Form 620's.

The record discloses no prejudicial procedural error and no reason is perceived for substituting our judgment for that of Carrier in this matter.

AWARD: Claim denied.

Adopted at Philadelphia, Pa., July 12, 1984.



Harold M. Weston, Chairman


Carrier Member
Employee Member