

Award No. 13
Case No. 14

Public Law Board No. 3514

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

Claim by Trackman Vance Granville for reinstatement and pay for all time lost.

FINDINGS:

Based on its finding that claimant used a Conrail credit card to purchase gas for his personal use, claimant was dismissed from Carrier's service. Claimant normally operated a back-hoe and was entrusted with a Conrail credit card.

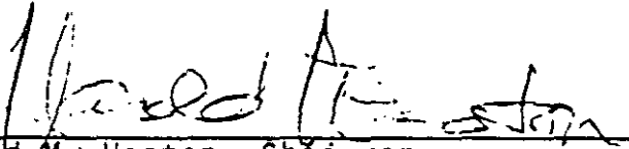
Carrier's findings are based on the testimony of a service attendant. While there is some conflict in the evidence, and claimant vigorously denies the charges, the evidence is sufficient to support Carrier's conclusion that claimant used a Conrail credit card to purchase gas for his personal use. It is not sufficiently strong, however, to provide a sound foundation for dismissal, particularly when claimant's record of good service is taken into consideration.

Claimant will be reinstated but without back pay.

AWARD:

Claimant to be reinstated with seniority rights
'unimpaired but without back pay. To be effective
within 30 days.

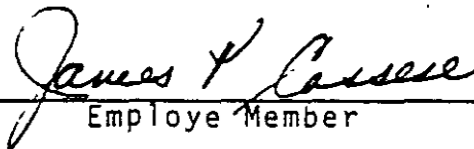
Adopted at Philadelphia, Pa., July 12, 1984.



Harold M. Weston, Chairman



Carrier Member



Employee Member