

Award No. 3  
Case No. 3

Public Law Board No. 3514

PARTIES  
TO  
DISPUTE:

Brotherhood of Maintenance of Way Employes  
and  
Consolidated Rail Corporation

STATEMENT  
OF  
CLAIM:

Claim by Trackman Frank Houghton for reinstatement with pay for all time lost.

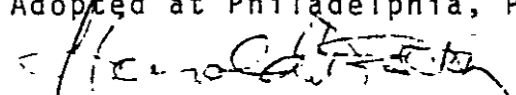
FINDINGS:

There is substantial credible evidence in the record that claimant stabbed another Conrail employee in the left arm with a fish scaling knife while both were in one of the boarding cars then on the Team Track at Route 31 Crossing, Clay, New York. The testimony establishes that the men had been drinking and argued regarding damage allegedly inflicted by claimant on the victim's radio. Nothing in the record, however, provides any excuse for claimant's possession of and assault with a knife.


AWARD:

Claim denied.

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

  
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Harold M. Weston, Chairman

  
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Carrier Member

  
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Employee Member