

PUBLIC LAW BOARD NO. 3514

Case No. 90

Award No. 75

PARTIES Brotherhood of Maintenance of Way Employees
to -and-
DISPUTE: Consolidated Rail Corporation

STATEMENT OF CLAIM: Appeal of B & B Mechanic, J. Vizzacchero,
to have his discipline of dismissal removed from his record and to be
restored to the service.

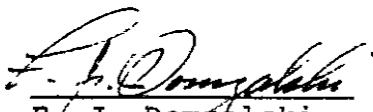
FINDINGS: The Claimant was notified to attend an investigation on
charges relating to his actions while on duty January 15, 1982.
The Carrier listed nine (9) charges which principally contended
that the Claimant did not properly perform his assigned duties and
used intoxicants while on duty.

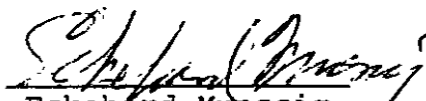
We have reviewed the record in its entirety and find that
the evidence supports the Carrier's conclusions that the Claimant's
performance was substantially unsuitable.

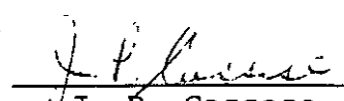
Under the circumstances shown by the record, we do not find
the discipline assessed to be arbitrary or capricious.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

Dated: Aug 20 1986