PUBLIC LAW BOARD NO. 3514

Case No. 97

Award No. 80

PARTIES

Brotherhood of Maintenance of Way Employes

-and-

DISPUTE:

Consolidated Rail Corporation

STATEMENT OF CLAIM: Appeal of Machine Operator, Cecil Campbell, to have his discipline of dismissal removed from his record and to be restored to the service.

FINDINGS: The Claimant, subsequent to an investigation, was found to have been under the influence of alcohol and narcotics while on duty.

The Board has examined the transcript of record and finds that the evidence is clear that the Claimant was quilty of the charges as contended by the Carrier. Given the serious nature of the offense and the Claimant's past disciplinary record, the Carrier's decision cannot be said to be unreasonable. While the Board is not unsympathetic to the Claimant's effort to correct his problem, on the foregoing basis, there is no support for the claim.

AWARD

The claim is denied.

Domzálski

Eckehard Muessig

Neutral Member

Employee Member

Dated: