

PUBLIC LAW BOARD NO. 3514

Case No. 73

Award No. 84

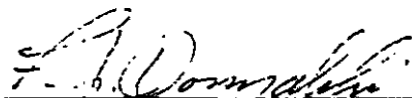
PARTIES Brotherhood of Maintenance of Way Employees
to -and-
DISPUTE: Consolidated Rail Corporation

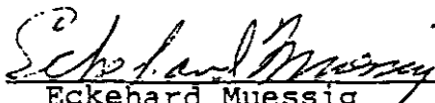
STATEMENT OF CLAIM: Appeal of Foreman Charles Rubano to have
ten (10) days actual suspension removed.


FINDINGS: The events leading to this dispute occurred on July 17, 1981. Testimony adduced at the hearing shows that late that afternoon on that date, the Claimant was instructed by his Supervisor to pick up a gang and tools from a work site. The Claimant failed to comply with these instructions. While the Claimant testified as to his reasons for not complying with his Supervisor's instructions, the Board finds the evidence clear and convincing that the Claimant did not properly perform his duties. Failure to follow instructions properly given is a serious offense for which the Carrier, when proven, may take appropriate disciplinary action.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

JAN 23 1986