

PUBLIC LAW BOARD NO. 3514

Case No. 87

Award No. 92

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

STATEMENT OF CLAIM: Appeal of B & B Mechanic J. Valente to
have fifteen (15) days suspension removed.


FINDINGS: The Claimant was notified to attend an investigation
on the following charges: Failure to report to work location
promptly; failure to follow instructions from proper authorities
and perform duties efficiently and safely; failure to devote
himself exclusively to the Company's service while on duty;
insubordination and willful disregard of the Company's interest
in that work was not performed as prescribed.


Subsequent to the investigation, the Claimant was notified
that he had been found guilty and was suspended as noted above.

In Award No. 66 of this Board, in which the claim therein
came about as a result of the same incident that occurred on
January 14, 1982, we found that in order to be consistent in the
application of discipline, the suspension was to be set aside.
We find the same here, for the same reasons.

AWARD

The claim is sustained.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member