

PUBLIC LAW BOARD NO. 3514

Case No. 88

Award No. 93

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

STATEMENT OF CLAIM: Appeal of B & B Mechanic Eric Fortier
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; in-
subordination and willful disregard of the Company's interest in
that work was not performed as prescribed.

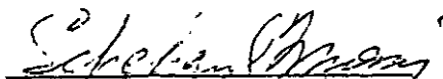
Subsequent to the investigation, the Claimant was notified
that he had been found guilty and was suspended as noted above.

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 with 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 Müssig
Neutral Member


J. P. Cassese
Employee Member

JAN 23 1986