

PUBLIC LAW BOARD NO. 3514

Case No. 99

Award No. 97

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

STATEMENT OF CLAIM: Appeal by Trackman Early Leroy Mann to have his dismissal removed and to be restored to the service.

FINDINGS: Subsequent to an investigation, the Carrier concluded that the Claimant had used threatening language toward his Supervisor, had refused to comply with a direct order, and had been under the influence of alcohol or an intoxicant.

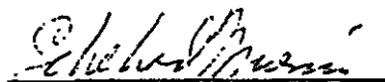
We have carefully reviewed the transcript of the hearing, and conclude that the evidence is convincing that the Claimant was guilty of the charges. Given the serious nature of his offense, the Board has no basis to sustain the claim..

AWARD

The claim is denied.



F. J. Domzalski
Carrier Member



Eckehard Muessig
Neutral Member



J. P. Cassese
Employee Member

Dated: FEB 27 1986