

PUBLIC LAW BOARD NO. 3765.

Parties
to the
Dispute

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs.

GRAND TRUNK WESTERN RAILROAD COMPANY

Case No. 29

STATEMENT OF CLAIM

The Carrier's decision to dismiss Claimant G. K. Gaines from service for "...unauthorized purchases...using unauthorized GTW Credit Card ...and forging signature...." on June 22, 1987, was arbitrary, capricious and exceedingly harsh.

Claimant Gaines shall be reinstated with benefits and all seniority rights unimpaired and he shall be compensated for all wage loss suffered.

OPINION OF THE BOARD

Claimant G. K. Gaines was employed by Carrier as a Welder Helper. On June 22, 1987, Claimant was charged with unauthorized purchases of products at a Shell Oil Company facility using a Carrier-issued credit card. A hearing into the charges was held on June 30, 1987. A transcript of that hearing has been reviewed by this Board. That

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review reveals that Claimant admitted to purchasing goods for his own use with a Company credit card. He was therefore guilty as charged and this Board has no recourse but to support Carrier's action.

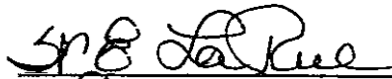
It is common knowledge in this industry that theft of any kind from Carrier can be grounds for dismissal. Misuse of credit cards, wherein employees use the cards to purchase gas, oil, and accessories for use in their private cars and trucks, has been especially frowned upon by Public Law Boards.

AWARD

The claim is denied.


R. E. Dennis, Neutral Member


Jo. A. DeRoche, Carrier Member


W. A. LaRue, Employee Member

3-8-90
Date of Adoption