

Public Law Board No. 3794

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees

and

CSX Transportation, Inc.

STATEMENT
OF
CLAIM:

Assistant Foreman W. H. Paramore's dismissal was without just cause and he shall be reinstated with seniority and all other rights unimpaired and compensation for all wage loss.

FINDINGS:

Claimant was dismissed for being absent without permission on January 20, 21, 22, 23 and 27, 1986 and for receiving property for worthless checks. The record supports Carrier's findings. He pleaded guilty in Court on January 24, 1986, to the charge of receiving property with worthless checks and was ordered to pay \$6,500 in restitution and was placed on five years probation.

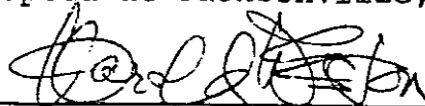
It was not unreasonable for Carrier to decide against retaining an employee with this record of financial irresponsibility and poor judgment. The claim is meritless.

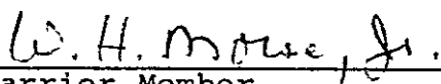
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AWARD:

Claim denied.

Adopted at Jacksonville, Florida, March 17, 1987.


HAROLD M. WESTON, Chairman


Carrier Member


Employee Member

