

PUBLIC LAW BOARD No. 4331: CASE No. 2
Award No. 2

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

v.

ILLINOIS CENTRAL GULF

STATEMENT OF CLAIM

C. Akins, Jr., was improperly dismissed. Claim for reinstatement and pay for time lost.

FINDINGS

Mr. Akins was dismissed from employment with the Carrier for allegedly falsifying time worked records for the period May 12, 1986 to May 25, 1986, when Mr. Akins was serving as Foreman of Gang 2056. The preponderance of evidence supports the conclusion that Mr. Akins did not work the overtime hours he claimed. Important inconsistencies between the testimony of Mr. Akins and the testimony of his co-workers substantially weakens the credibility of Mr. Akins' arguments. Mr. Akins has not convincingly accounted for his activities during the hours for which he claimed overtime pay. Moreover, the record is clear that Supervisor Sensing did not authorize the overtime that Mr. Akins claims to have worked.

AWARD

Claim denied.

R. L. Miller

Ronald L. Miller
Chairman and Neutral Member

J. S. Gibbins

J. S. Gibbins
Carrier Member

Donald D. Bartholomay

Donald D. Bartholomay
Organization Member

28 September 1987

DATE