

The cited rules prohibit dishonesty and further provide that theft is sufficient cause for dismissal and that unauthorized possession of the Carrier's equipment and materials is prohibited. Substantial evidence shows that Claimants clearly and admittedly violated those rules. In this case, the fact that the ties may have appeared to Claimants to have been abandoned does not justify the unauthorized removal of that material, especially since the ties were new. Under the circumstances, we cannot say that dismissal was arbitrary or capricious.

AWARD

Claims denied.

Edwin H. Benn
Edwin H. Benn
Neutral Member

E. J. Kallinen
E. J. Kallinen
Carrier Member

P. S. Swanson
P. S. Swanson
Organization Member

Denver, Colorado
December 7, 1988

