

PUBLIC LAW BOARD NO. 4615

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs

CONSOLIDATED RAIL CORPORATION

AWARD NO. 106

CASE NO. 106

DOCKET NO.: MW-1412-D


CLAIMANT: A. T. HUNT


STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

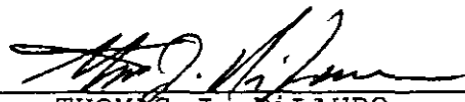
1. The dismissal of Mr. A. T. Hunt for alleged '... failure to comply with the Conrail Drug Testing Policy as you were instructed in the letter dated May 2, 1990 from Medical Director O. Hawryluk, M.D.' was without just and sufficient cause, arbitrary, capricious, on the basis of unproven charges and in violation of the Agreement (System Docket MW-1412).
2. As a consequence of the violation referred to in Part 1 above, the Claimant shall be reinstated with seniority and all other rights unimpaired, including overtime and benefits, his record shall be cleared of the charges leveled against him and he shall be paid for all wage loss suffered."

AWARD

The Claim is denied in its entirety.


F. J. DOMZALSKI
Carrier Member 8-6-93


JED DODD
Organization Member


THOMAS J. DiLAURO
Neutral Member
AUG 1 1993