

PUBLIC LAW BOARD NO. 4615

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs

CONSOLIDATED RAIL CORPORATION

AWARD NO. 111
CASE NO. 111

DOCKET NO.: MW-2610-D

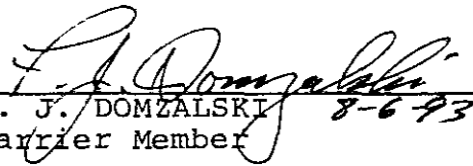
CLAIMANT: D. O. WILKERSON

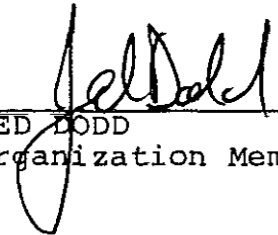
STATEMENT OF CLAIM: "Claim of the System Committee of the
Brotherhood that:

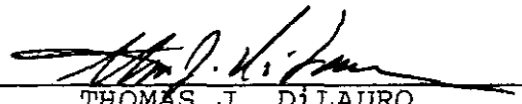
1. The dismissal of Mr. D. O. Wilkerson for alleged '... failure to comply with the Conrail Medical Policy as you were instructed in letter of November 26, 1991 from Medical Director O. Hawryluk, M.D., in that you did not fulfill the conditions set therein.' was without just and sufficient cause, arbitrary, capricious, on the basis of unproven charges and in violation of the Agreement (System Docket MW-2610).
2. The investigation held on July 20, 1992 was not held within the time limits as required under Rule 27(d).
3. 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


JED LODD
Organization Member


THOMAS J. DILAURO
Neutral Member

AUG. 1 1993