

BROTHERHOOD OF MAINTENANCE OF
WAY EMPLOYES

Case No. 51

Award No. 51

CONSOLIDATED RAIL CORPORATION

1. The dismissal of Mr. D. Burris for alleged '... failure to comply with Conrail Drug Testing Policy as you were instructed in letter dated November 11, 1987 from Medical Director G. R. Gebus, in that you did not within 45 days of that letter either provide a negative drug screen or enter Conrail's Employee Assistance Program.' was without just and sufficient cause, arbitrary, capricious, on the basis of unproven charges and in violation of the Agreement (System Docket CR-3699D).
2. As a consequence of the violations referred to in Part 1 above, the Claimant shall be reinstated with seniority and all other rights including overtime and benefits unimpaired, his record shall be cleared of the charges leveled against him and he shall be paid for all wage loss suffered."

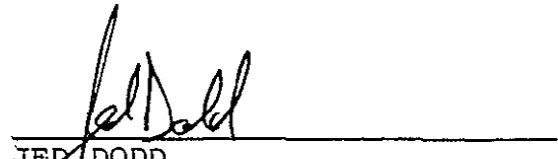
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AWARD

The Claim is denied in its entirety.


F. J. DOMZALSKI
Carrier Member 4-8-93


JED DODD
Organization Member


THOMAS E. DILAURO
Neutral Member
APR. 1 1993