

Award No. 323-A  
Case No. 323-A  
System Docket No. MW-1823

SPECIAL BOARD OF ADJUSTMENT NO. 976  
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES  
VS.  
CONSOLIDATED RAIL CORPORATION

STATEMENT OF CLAIM:

Appeal of dismissal assessed R. A. Hood on March 15, 1991, in connection with being charged with being absent without permission on September 14, 1990 at the Canton MW Shop and excessive absenteeism.

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD: Claim disposed of as follows:

While this Board takes a very dim view of claimant's absentee record, it does however note it was attributable to his problem with alcohol dependency. Taking this into account and noting that medical documentation shows he has come to grips with his alcohol problem as evidenced by inpatient treatment and participation in aftercare service, this Board is persuaded that in view of his remedial effort, he should be afforded one last chance to be a reliable employee. Therefore, he shall be returned to service but without pay for all time lost.

However, prior to his return to service, the claimant must meet with the Carrier's Employee Counselor and obtain approval for return to service which shall include his continued participation in the Carrier's Drug and Alcohol Program as determined by the Employee Counselor.

C. A. Peacock  
C. A. Peacock, Neutral Member

F. J. Domzalski  
F. J. Domzalski, Carrier Member

Jed Dodd  
Jed Dodd, Organization Member

Issued this 13 day of July 1992.