

Award No. 342
Case No. 342
System Docket No. MW-2644

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

STATEMENT OF CLAIM:


Appeal of dismissal assessed L. S. Bennett on July 28, 1992 in connection with being charged with violation of Safety Rules 3250 and 3255, and General Rules 7, 17, D, E and L when he operated a company leased vehicle for purposes other than the performance of his duties. Also, driving without a valid driver's license, allowing unauthorized persons to ride in the vehicle, being arrested while participating in an unauthorized activity and changing the locks on the vehicle's tool bins without authorization.

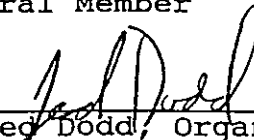
Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject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

AWARD: Claim disposed of as follows:

Denied.


C. A. Peacock, Neutral Member


F. J. Domzalski, Carrier Member


Jed Dodd, Organization Member

Issued this 26 day of April, 1993.