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Docket No. CL-8362
Award No. 18

SPECIAL BOARD OF ADJUSTMENT NO. 177 (PRR)

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

C. S. Johnson, Station Baggage-man, 30th Street Mail Platform, Philadelphia, Pennsylvania, Philadelphia Terminal Division, be returned to service with all rights unimpaired and that he be reimbursed for all monetary loss sustained. (Docket E-980)

FINDINGS: Claimant was dismissed from service after trial on charge of clocking in and attempting to perform duties while under the influence of intoxicating liquor.

The Assistant Manager of Mail Service, the Assistant Station Manager, the General Foreman, the Assistant Supervisor of Mail Service and the Acting Foreman all testified as to claimant's staggering and apparent condition of intoxication after reporting for duty. One of them testified to the odor of alcohol on his breath and others to his mumbling speech and other evidence of intoxication.

Such physical condition and conduct is nowhere denied by claimant or by any witness in his behalf. In answer to the inquiry by his own representative as to whether he was in the habit of reporting on the job under the influence of liquor, claimant replied: "Yes, I have sometimes; I have been sent home a couple of times." He denied having been intoxicated on this one occasion but his only excuse for his appearance and evidence of intoxication was that he had taken novocaine as prescribed by his physician. He supported that assertion only by written statement of the physician that claimant "was under my care from June 7 to June 13 suffering from grippe and bronchitis." There is no suggestion in the statement that novocaine was prescribed and no suggestion in the record that if it had been prescribed and taken it would have caused the evidences of intoxication shown by claimant.

AWARD: Claim denied.

Signed this 17th day of July, 1957.

/s/ R. H. Skinner, Jr.
R. H. Skinner, Jr., Carrier Member

/s/ S. V. W. Loehr
S. V. W. Loehr, Employe Member

/s/ Mortimer Stone
Mortimer Stone - Chairman