

The Second Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

Parties to Dispute: (Brotherhood Railway Carmen of the United
(States and Canada
(
(Chicago and North Western Transportation Company

Dispute: Claim of Employees:

1. Freight Car Welder Derrick Watson was unjustly assessed sixty (60) days suspension on July 13, 1978.
2. Freight Car Welder Derrick Watson was erroneously charged with being absent on June 16, 23, and 26, 1978, and with being tardy on June 19 and 28, 1978.
3. That the Chicago and North Western Transportation Company be ordered to compensate Freight Car Welder Derrick Watson for all wages lost during the time he was unjustly withheld from service, plus 6% annual interest on all lost wages, as per Rule 35.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employees involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

Derrick Watson, Claimant in this case, is employed on the 8:00 a.m. to 4:40 p.m. shift as a freight car welder at carrier's California Ave. passenger car facility in Chicago, Ill. He was charged by carrier with having a poor attendance record, specifically being absent on June 16, 1978, tardy on June 19, 1978, absent on June 23, 1978, absent on June 26, 1978, and tardy on June 28, 1978.

An investigatory hearing was held in the matter and a transcript of that hearing has been made a part of the record of this case. A review of that transcript reveals that claimant was not denied any of his contractual, substantive or procedural rights and that he was offered a full and fair hearing in the matter. At the conclusion of the hearing, carrier assessed a 60-day suspension, based on claimant being found guilty as charged and his past record of absenteeism and discipline.

After a review of the total record of this case, this board finds no basis for upsetting carrier's action. The board's position on regular attendance and punctuality at work is clear. The number of cases wherein this board has upheld discipline for absenteeism and chastized employees for not attending work on a regular and prompt basis are too numerous to mention and are well known to every carrier and organization in this industry. Our position on excessive absenteeism need not be restated again in this award.

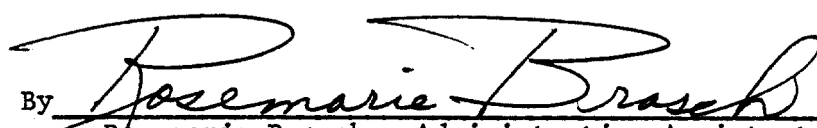
A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By


Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 8th day of October, 1980.