

The Second Division consisted of the regular members and in addition Referee M. D. Lyden when award was rendered.

Parties to Dispute: (International Brotherhood of Electrical Workers
(Chicago, Milwaukee, St. Paul and Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Chicago, Milwaukee, St. Paul and Pacific Railroad Company violated the current agreement when Electrician Helper William G. Lockwood was unjustly dismissed from the service of the Carrier on August 27, 1977.
2. That, accordingly, the Carrier be ordered to make the aforementioned Electrician Helper whole by reinstating him to service with all seniority and other rights unimpaired and repaying all lost wages and benefits.

Findings:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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.

The absentee record of claimant has been reviewed. He was absent on six specific dates in August 1977.

The claimant testified that his reason for being absent on the six (6) days involved, was due to transportation problem - he claimed his personal auto had been "repossessed".

At this hearing held on August 26, 1977, the claimant was asked:

"Do you feel that you have had a fair and impartial hearing?"

The claimant responded "yes".

Claimant's dismissal was based on three things:

1. The seriousness of the proven instant charges.
2. His unsatisfactory past record of absenteeism.

3. His relative short time in the Carrier's service. He was employed on January 4, 1977, and dismissed on August 27, 1977.

As a matter of fact, the claimant himself testified that his attendance was "irregular" and "erratic".

It is imperative that the employee protect his job, making every reasonable effort to attend work and to timely notify the Carrier of all absences. This the employee failed to do. The action of the Carrier is sustained.

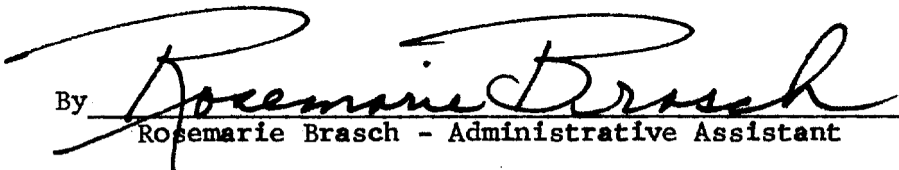
A W A R D

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 25th day of February, 1981.