

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

Parties to Dispute:

(International Brotherhood of Boilermakers, Iron
(Ship Builders, Blacksmiths, Forgers and Helpers
(
(Consolidated Rail Corporation

Dispute: Claim of Employees:

1. That Boilermaker T. J. Picciano was improperly dismissed from service.
2. That accordingly the Carrier be ordered to reimburse the aforementioned Boilermaker with all seniority rights unimpaired, all lost wages, Vacation and Holiday pay, Health and Welfare and Life Insurance now in effect and any additional benefits that may be negotiated as a result thereof, until he is restored to service.

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 employes 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.

Claimant T. J. Picciano was dismissed from carrier's service for excessive absenteeism. He was absent from his position at carrier's Collingwood diesel terminal on June 16, 17, 18, 19 and 20, 1978, without permission or without reporting off. Claimant was not present at the hearing into the charges, but was duly notified about it and was, according to the record, aware of the time and place where it was to be held.

The organization mounted a noble effort on behalf of claimant in this case, but this board is not persuaded that claimant should be returned to service. From the record, it is clear that claimant was absent from work without permission during the period from June 16, 1978 to June 20, 1978. This, in itself, is a punishable offense. When it is viewed in relation to claimant's past record, it is more than sufficient to justify claimant's dismissal from service.

On many occasions, this board has commented on carrier's right to expect employees to report for work on a regular basis and on the requirement that employees maintain regular attendance. Claimant has been disciplined several times for excessive absenteeism. This is just one more in a long line of similar events. Carrier has not acted improperly in dismissing claimant.

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.