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NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

Award No. 6499  
Docket No. 6343  
2-SOU-CM-'73

The Second Division consisted of the regular members and in addition Referee John J. McGovern when award was rendered.

Parties to Dispute: ( System Federation No. 21, Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Carmen)  
( Southern Railway Company

Dispute: Claim of Employee:

1. That under the current Agreement, Carman Larry Ransom, Inman Yard, Atlanta, Georgia, was improperly suspended from service on June 1, 1971.
2. That accordingly, the Carrier be ordered to restore Carman Larry Ransom, Atlanta, Georgia to service with pay for all time lost beginning June 1, 1971, including regular time, overtime, holiday and vacation pay and that his name be restored to the seniority roster with all other rights unimpaired.

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 were given due notice of hearing thereon.

This is a disciplinary case, which after an investigation, Carrier reached the conclusion that claimant was guilty of the charge and ordered dismissal from the service.

The investigation was originally postponed at claimant's request and re-scheduled for a date certain. Claimant failed to appear for the second time after proper notice etc. His failure to appear under these circumstances was at his own peril. (See award 13127). There are no procedural errors in this record,

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and the evidence presented is sufficiently substantial to warrant Carrier's order of dismissal.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest: E. A. Killian  
Executive Secretary

Dated at Chicago, Illinois, this 30th day of May, 1973.