

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 Firemen and Oilers
(Louisville and Nashville Railroad Company

Dispute: Claim of Employees:

1. That under the current and controlling agreement, as amended, Service Attendant E. Wallers, I.D. No. 371580, was unjustly suspended from the service of the Louisville and Nashville Railroad Company on May 13, 1981 through June 11, 1981, both dates inclusive after a formal investigation was held in the office of Mr. R. G. Littrell, Asst. Master Mechanic and Conducting Officer, on May 12, 1981.

2. That accordingly, Service Attendant E. Wallers be compensated for all lost time, vacation, health and welfare, hospital and life insurance and dental insurance be paid effective May 13, 1981 through June 11, 1981, and the payment of 6% interest rate be added thereto.

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 employes 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.

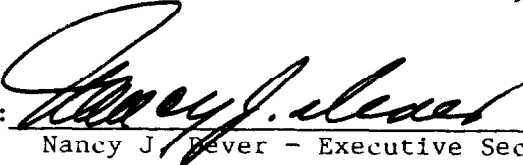
Parties to said dispute waived right of appearance at hearing thereon.

Claimant was employed as a Service Attendant at Decoursey, Kentucky. During the period from April 16 through May 4, 1981, he was alleged to have been absent from work without permission. A Hearing into the matter was held on May 12, 1981. As a result of that Hearing, Claimant was found guilty as charged and assessed a thirty-day suspension. A review of the record reveals that Claimant did in fact absent himself from work after the Company doctor had examined him and found him fit for duty. He did not have permission from Carrier officials to do so and consequently was properly charged and found guilty of unauthorized absenteeism. A severe penalty is appropriate. Carrier's assessment of a thirty-day suspension under the circumstances, is appropriate.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Bever - Executive Secretary

Dated at Chicago, Illinois, this 26th day of August 1987.