

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 25284  
Docket Number MW-24863

Rodney E. Dennis, Referee

(Brotherhood of Maintenance of Way **Employes**  
PARTIES TO DISPUTE: (  
(Consolidated Rail Corporation  
(Former Lehigh Valley Railroad Company)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

(1) The discipline (thirty demerits) imposed upon Machine Operator  
Ii. **Aulet** for "Alleged failure to report for duty" on September 12, 1980 was  
without just and sufficient cause and unwarranted (System **Docket** 6431.

(2) The thirty (30) demerits imposed upon the claimant shall be  
expunged from his record.

OPINION OF BOARD: Claimant H. Aulet is a Machine Operator in Carrier's employ  
at Oak Island Yard. On September 12, 1980, he failed to  
report **for** duty and he failed to call in and report off. On September 15,  
1980, Claimant was notified to report for **an** investigation on September 22,  
1980. He was charged as follows:

Alleged failure to report for duty as Machine Operator  
at your headquarters, Oak Island Yard. Newark, N.J.,  
**on** the following date:

September 12, 1980.

In light of your previous attendance record, this con-  
stitutes excessive absenteeism from your assignment.

A hearing **was** held as scheduled. As a result of that hearing, Claimant  
was found guilty as charged and assessed 30 demerits. This penalty was ultimately  
reduced to 15 demerits.

This Board has reviewed the transcript of the hearing and must agree  
with Carrier that Claimant is guilty as charged and that a **15-demerit** penalty  
is not an excessive penalty, given all the facts. This Board has on many occasions  
stated its position on absenteeism. We support the proposition that **employes**  
must report to work on a regular basis and **on** time. When absence from work is  
necessary, it is required that the **employe** notify Carrier in ample time so that  
replacements can be obtained, if needed. Claimant in this instance did not  
meet the requirements of attendance and his discipline is appropriate.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the **Employes** involved in this dispute are **respectively Carrier and Employes** within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction **over** the dispute involved herein; and

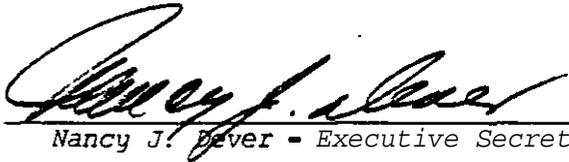
That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 28th day of February 1985.