

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 25283  
Docket Number MW-24862

Rodney E. Dennis, Referee

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

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

(1) The discipline imposed upon Trackman S. Dawkins for "Alleged failure to report for duty" on September 2, 3, 4, 5 and 11, 1980 was without just and sufficient cause and unwarranted (System Docket 666).

(2) The forty (40) demerits imposed upon the claimant shall be expunged from his record and he shall be compensated for all wage loss suffered (seven hours and forty minutes on September 11, 1980).

OPINION OF BOARD: Claimant S. Dawkins is employed as a Trackman and is regularly assigned to a track gang headquartered at South Plainfield, New Jersey. On September 2, 3, 4, and 5, 1980, he failed to report to work. On September 11, 1980, he arrived at work twenty minutes late. As a result of these incidents, Claimant was directed to appear for investigation in connection with the following charge:

Alleged failure to report for duty as a Trackman on the following dates: September 2, 3, 4, 5, 11, 1980. In light of your previous attendance record, this constitutes excessive absenteeism from your assignment.

A hearing into the matter was held on October 27, 1980. As a result of that hearing, Claimant was found guilty as charged and assessed a penalty of 40 demerits.

This Board has reviewed the record of this case and must conclude Carrier was justified in the actions it took. Each employe is responsible to report to work on a regular basis on time. Carrier need not tolerate employes who do not fulfill this requirement, whatever the reason for the excessive absence or tardiness may be. We shall deny this claim.

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

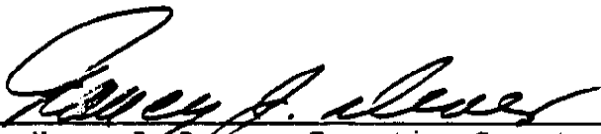
That the Agreement was not violated.

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.