

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 25284

Docket Number MW-24863

Rodney E. Dennis, Referee

PARTIES TO DISPUTE: ( Brotherhood of Maintenance of Way Employees  
( 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 H. Aulet for "Alleged failure to report for duty" on September 12, 1980 was without just and sufficient cause and unwarranted (System Docket 643).

(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 constitutes 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 employees must report to work on a regular basis and on time. When absence from work is necessary, it is required that the employee 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 Employees involved in this dispute are respectively Carrier and Employees 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

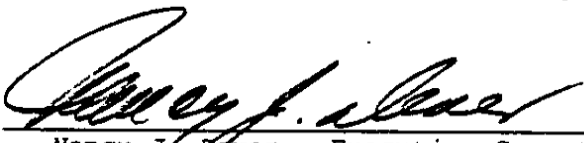
That the Agreement was not violated.

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.