

The Third Division consisted of the regular members and in addition Referee Ronald L. Miller when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employees
(Soo Line Railroad Company (formerly Chicago, Milwaukee,
(St. Paul and Pacific Railroad Company)

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

1. The dismissal of Machine Operator J. T. Anderson for alleged unexcused absenteeism and failure to call in when absent, was excessive and without just and sufficient cause (System File C #4-85/D-2693).

2. The claimant shall be reinstated with seniority and all other rights unimpaired, his record cleared of the charges leveled against him and he shall be compensated for all wage loss suffered."

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employees 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.

The record of this case indicates that the Claimant received numerous written and verbal warnings and two (2) disciplinary suspensions (five (5) and thirty (30) days) as a result of his failure to properly protect his assignment. Nevertheless, the unauthorized absences and improper notification of absence continued.

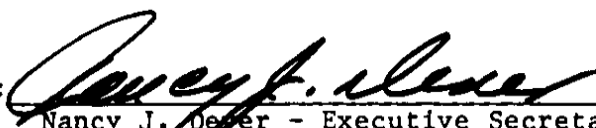
Excessive, unauthorized absences from work, in the context of repeated and clear warnings as to the consequences of such conduct, are properly a basis for dismissal. In this case, the Board finds no reasonable cause for setting aside or mitigating the dismissal of the Claimant.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Defer - Executive Secretary

Dated at Chicago, Illinois, this 25th day of February 1988.