

PUBLIC LAW BOARD NO. 1582

PARTIES) ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
TO)
DISPUTE) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

STATEMENT OF CLAIM: Claim that former Albuquerque Division Trackman L. M. Yazzie be reinstated to his former position with seniority, vacation, all benefit rights and pay for all wage loss beginning January 21, 1981, account the claimant being removed from service for accumulation of excessive demerits.

FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

In this dispute the claimant was removed from service for acquiring excessive demerits. The record indicates that the claimant was notified on June 24, 1980 that his personal record stood with a total of fifty demerits and that sixty demerits would subject an employee to removal from service.

On July 25, 1980 the claimant accepted a ninety day suspension. As of January 7, 1981 the claimant's record stood at seventy demerits. There is no justification for overruling the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member