

PUBLIC LAW BOARD NO. 1582

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

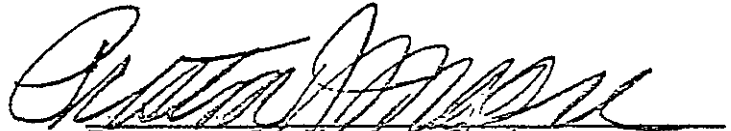
STATEMENT OF CLAIM: Claim in behalf of former Trackman-Truck Driver Jerry W. Nez, Los Angeles Division, for reinstatement with seniority, vacation and all other rights unimpaired, and compensation for wage loss beginning May 16, 1974 continuing forward to date he is restored to service.

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.

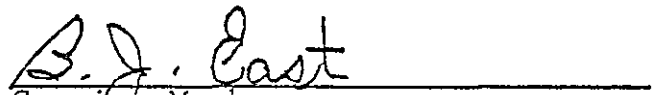
In this dispute claimant took the Company truck assigned to Extra Gang No. 75 without authority. Sometime between the hours of 11:00 p.m. on May 15 and 1:00 a.m. on May 16 the truck was involved in an accident while being operated by the claimant. The claimant alleges he took the truck to buy food for the gang the following day. This allegation is contradicted by the Carrier, and there is no question but that the claimant was not authorized to take the truck.

The claimant did not attend the investigation. Under the circumstances the Board finds no evidence which would justify the Board overruling the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member