

AWARD NO. 268
Case No. 301

PUBLIC LAW BOARD NO. 1532

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

STATEMENT OF CLAIM: Claim for "Welder Helper Trackman (Seniority date September 24, 1979) D. R. Bible of the Plains Division for reinstatement to his former positions with seniority, vacation, all other benefit rights unimpaired and pay for all wage lost and/or otherwise made whole beginning July 26, 1983, and continuing forward until claimant is allowed to protect his former position."

FINDINGS: This Public Law Board No. 1532 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 notified by certified U. S. Mail dated July 26, 1983, in accordance with the Letter of Understanding of July 13, 1976, that his seniority and employment with the Carrier was terminated, due to his being absent without proper authority in excess of ten days. He was also advised that if he desired to be given a formal investigation, he could make that request within 20 days of this notice. The claimant made no request for a formal investigation.

There is no evidence of record which would justify setting the action of the Carrier aside.

AWARD: Claim denied.


Preston J. Moore, Chairman


Union Member


Chief Clerk