

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 T. Tapaha, Albuquerque Division, for reinstatement to his former position with seniority, vacation and all other rights unimpaired and compensation for wage loss beginning July 29, 1974.

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 charged with being absent without authority and violation of Rule 16. An investigation was held and the claimant testified it was true he had agreed to report back to work as of July 1 but stated that on July 1 he was sick. Claimant further testified that he called on July 8 and advised the supervisor that he had been sick.

The claimant had been absent without authority on three previous occasions and had been an employee for little more than one year. Under the circumstances the Board finds no justification to overrule the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


L.E. Fanning
Organization Member


B.J. East
Carrier Member