

PUBLIC LAW BOARD NO. 1582

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

STATEMENT OF CLAIM: Carrier's decision to remove former Albuquerque Division Trackman W. R. Cockerham from service, effective September 19, 1986 was unjust.

Accordingly Carrier should be required to reinstate claimant Cockerham to service with his seniority rights unimpaired and compensate him for all wages lost from September 19, 1986.

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.

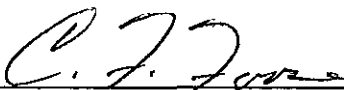
In this dispute the Carrier by letter dated September 19, 1986 advised the claimant that he had been absent from work without proper authority commencing September 2, 1986, an apparent violation of Rule 13, General Rules for the Guidance of Employees, Form 2626 Std. This letter advised the claimant that his seniority and employment on the Albuquerque Division of the Carrier was terminated effective that date, and the claimant could request an investigation.


The Board has reviewed the evidence of record and finds that the claimant was absent without authority for more than five consecutive work days and was properly terminated in accordance with the Letter of Understanding dated July 13, 1986, Appendix 11 of the current Agreement. The claimant made no effort to return to work. For that reason the Board finds no justification to set aside the discipline.

AWARD: Claim denied.


Preston J. Moore, Chairman

*Dated at Chicago, Ill.
August 31, 1987*


Union Member


Carrier Member