

PUBLIC LAW BOARD NO. 1582

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

STATEMENT OF CLAIM: Claim in behalf of H. Looney, Jr. for reinstatement to his former position with seniority, vacation and all other rights unimpaired and compensation for wage loss until 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 the claimant entered the service of this Carrier on June 4, 1969. During a span of some five months in 1972 the claimant accumulated sixty demerits. It is noted that in a letter dated August 16, 1972 the claimant was notified that as a result of the demerits assessed for his violation of Rules 16 and 17 on August 8 that he had accumulated 50 demerits and that an accumulation of sixty demerits would subject him to dismissal from the Carrier's employ. Shortly thereafter the claimant was found guilty of being absent without proper authority and assessed an additional ten demerits. The Carrier held an investigation and dismissed claimant from the service for an accumulation of sixty demerits.

As set forth previously, this Board is without power to overrule the decision of the Carrier when the claimant has accumulated sixty demerits.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member

September 12, 1973