

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 New Mexico Division Trackman Nelson Chester from service, effective May 6, 1987 was unjust.

Accordingly, Carrier should be required to reinstate Claimant Chester to service with his seniority rights unimpaired and compensate him for all wages lost from May 6, 1987.

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 absent without authority on May 1, 2, 3, 4 and 5 and then on May 8, 9, 10, 11 and 12. May 8 was the sixth day the claimant was absent without authority.

Superintendent Benson notified the claimant that he was terminated. The letter of notification was acknowledged on May 13, and the claimant did not request a formal investigation. Under those circumstances and the agreement between the parties, there is no justification to set the decision of the Carrier aside.

AWARD: Claim denied.


Preston J. Moore, Chairman

*Dated at Chicago, Illinois
January 18, 1988*


Union Member


Carrier Member