

PUBLIC LAW BOARD NO. 1582

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

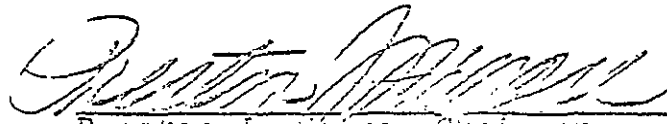
STATEMENT OF CLAIM: Claim in behalf of former Trackman E. L. Flores, Los Angeles Division for reinstatement to his former position with seniority, vacation and all other rights unimpaired and compensation for wage loss beginning July 24, 1975 continuing forward to date he is restored to service.

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.

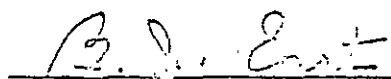
In this dispute the claimant was dismissed from the service of the Carrier for his alleged violation of Rule 15 which states that employees must not absent themselves from duty without proper authority. The claimant was notified of an investigation on July 7 and did not appear nor did he request a postponement.

Evidence of record indicates that the claimant was absent without authority on June 25, 26 and 27 and dates subsequent thereto. The claimant had only been an employee approximately six months. Therefore it appears to the Board that there is no basis to overrule the decision of the Carrier. The Carrier also contends that the time limit rule was violated. Since the matter has been disposed of on its merits, the Board will not consider the time limit issue.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member