

PUBLIC LAW BOARD NO. 1582

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

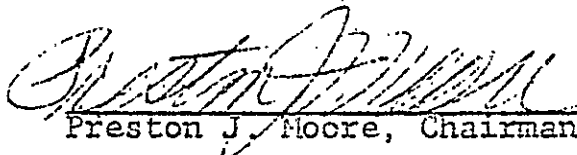
STATEMENT OF CLAIM: Claim in behalf of former Trackman I. L. Scott for reinstatement with seniority, vacation and all other rights unimpaired and pay for all wage loss beginning June 7, 1977, continuing forward until he is returned to service.

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 discharged for his failure to protect his assignment as a trackman on Extra Gang 31 for several days in March and April of 1977. The Organization contends that the discipline assessed is excessive and that the claimant should be reinstated and paid for all time lost.

The Board has examined the transcript of record and considered all of the evidence. The claimant testified that he was absent without proper authority, and the evidence is conclusive that on several dates he did not call and request permission to be off. In view of the claimant's short seniority and record, there is no justification to overrule the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member

Dated November 27, 1978