

Award No. 44
Case No. 44

Public Law Board No. 2203

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

1. Carrier violated the Agreements of December 15, 1945 and January 26, 1973 when it assessed discipline of dismissal on Trackman G. Fortune on May 8, 1978.
2. Claimant's record be cleared of the charge brought against him on April 20, 1978.
3. Claimant be restored to service with seniority and all other rights unimpaired and be compensated for wage loss sustained in accordance with Rule 6-A-1(d).

FINDINGS:

The record establishes that claimant had been absent without permission on four days in April 1978. It also appears that he had been absent without permission on 17 days in 1976 and 26 in

1977. We find no persuasive ground for setting aside Carrier's decision to dismiss claimant.

AWARD: Claim denied.

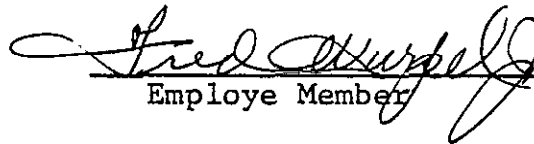
Adopted at Philadelphia, Pa., August 14, 1979.



Harold M. Weston, Chairman



Carrier Member



Employee Member