

PUBLIC LAW BOARD NO. 2444

Award No. 29

Case No. 40

Docket No. MW-80-23

Parties Brotherhood of Maintenance of Way Employees

to and

Dispute Southern Pacific Transportation Company
(Texas and Louisiana Lines)

Statement of Claim 1. Carrier violated the effective Agreement when Track Laborer Carl Buchanan was unjustly suspended for two weeks in the month of October 1979.

2. Claimant Buchanan shall be paid for all time lost due to his suspension and this charge be removed from his personal record.

Findings The Board, after hearing upon the whole record and all evidence, finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated July 19, 1979, that it has jurisdiction of the parties and the subject matter, and that the parties were given due notice of the hearing held.

Claimant, as the result of reporting to his assignment a half hour late on October 17, 1979, was found to be in violation of Rule M 810 reading:


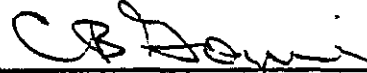
"Employees must report for duty at the prescribed time and place....They must not absent themselves from their employment without proper authority..."

As a result thereof he was suspended for two weeks from October 17 through October 31, 1979. Carrier, as a result of the hearing requested and held, concluded that Claimant was guilty as charged and refused to alter the discipline.

The Board finds that the record supports the conclusion reached by Carrier. We find no cause in the record to support a change in the discipline assessed. This is but another step in the application of progressive discipline to correct a lingering problem of tardiness. This Claim will be denied.

Award

Claim denied.

M. A. Christie, Employee MemberG. B. Goyne, Carrier MemberArthur T. Van Wart, Chairman
and Neutral Member

Issued at Wilmington, Delaware, April 16, 1981.