

PUBLIC LAW BOARD - NO. 3514

Case 49

Award 49

PARTIES Consolidated Rail Brotherhood of Maintenance
 to Corporation and of Way Employees
DISPUTE:

STATEMENT OF CLAIM: That Trackman C. Williams was unjustly suspended for sixty days, that the suspension be set aside and cleared from his record, and that he be compensated for all time lost.

FINDINGS: In this dispute, the Carrier contends that the Claimant did not protect his assignment on two days in August 1981 and that he failed to complete his tour of duty on four other days in August and September 1981.

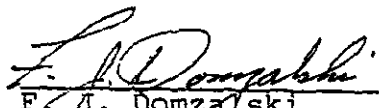
The Claimant contends that on both days when he was absent in August 1981, he called his Supervisor and obtained permission to be off work. The Board finds that while the testimony, with respect to the absences of the Claimant on these two days, is somewhat confusing, the weight of it shows that the Claimant did not have proper permission to layoff.


Turning to the days that the Claimant left work early, these charges are substantiated by the testimony of the Claimant and his Foreman at the hearing.

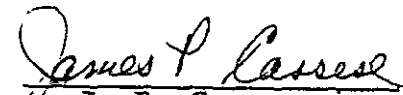
On the basis of the foregoing and since the record shows that the Claimant had been forewarned with respect to protecting his assignment, the Carrier's determination is not unreasonable and will not be disturbed.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

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