

PUBLIC LAW BOARD NO. 3514

Case No. 80

Award No. 70

PARTIES Brotherhood of Maintenance of Way Employees
to -and-

DISPUTE: Consolidated Rail Corporation

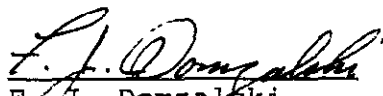
STATEMENT OF CLAIM: Appeal of Trackman, K. Coston, to have his
dismissal removed from his record and to be restored to the service.

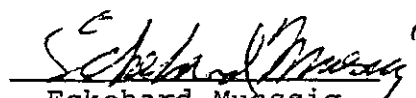
FINDING: The Claimant herein failed to protect his assignment
on three days in October 1980. The Carrier, in consideration of
the Claimant's previous attendance record, concluded that the
Claimant had been excessively absent from his assignment, and he
was dismissed from the service.

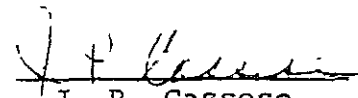
This Board has consistently held that the Carrier is not
unreasonable when it expects regularity of work attendance so that
it may manage its operations. The record here establishes that
the Claimant admitted that he did not have permission to be absent
on the three days in October 1980. Accordingly, in light of his
previous attendance record and short seniority, the Carrier's
decision cannot be considered unduly harsh.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

Dated: AUG 2 1985