

PUBLIC LAW BOARD NO. 3514

Case No. 82

Award No. 71

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

STATEMENT OF CLAIM: Appeal of Machine Operator, Michael M. Miller,
to have his dismissal set aside and to be restored to the service.

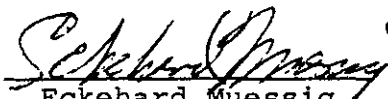
FINDINGS: The matter under dispute here results from the Carrier's
charges that the Claimant had been absent from his work fourteen
(14) days in August 1980 and nine (9) days in September 1980,
without proper authority. Subsequent to an investigation, the
Carrier found the Claimant guilty of the charge and assessed the
penalty of dismissal.

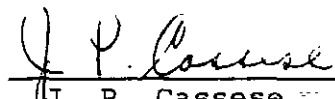
The Board is not unmindful of the Organization's forceful
arguments. However, established excessive absences clearly forms
a basis for discipline up to, and including, discharge. Under
the circumstances, as brought forth in the record, we find that
the Carrier has not misused its authority.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

Dated: AUG 20 1980