

AWARD NO. 152
CASE NO. 186

PUBLIC LAW BOARD NO. 1582

PARTIES) ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY
TO)
DISPUTE) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

STATEMENT OF CLAIM:

1. That the Carrier's decision to remove claimant Hernandez from service as a result of investigation held Amarillo, Texas, August 24, 1981 was unjust because the evidence adduced at the hearing does not sustain the discipline assessed.
2. That claimant C. P. Hernandez be reinstated to service with seniority, vacation, all other rights unimpaired, and pay for wage loss beginning August 24, 1981 and/or otherwise made whole.

FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

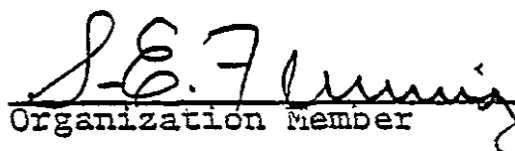
In this dispute the claimant was charged with being absent from his assignment without proper authority from July 13, 1981 to July 30, 1981. The claimant was notified that an investigation would be held on August 24, 1981 and failed to appear at the investigation.

Pursuant to the investigation the Carrier dismissed the claimant from the service of the Carrier for his violation of Rules 13 and 15 of the General Rules for the Guidance of Employees.

Under the circumstances herein there is no justification to set aside the decision of Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member