

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 assess Plains (Old Slaton) Division Trackman F. G. Calzada's record with(10) ten demerits was unjust.

2. That the Carrier now be directed to expunge ten (10) demerits from Claimant Calzada's record and compensate him for all wage and expense loss incurred 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.

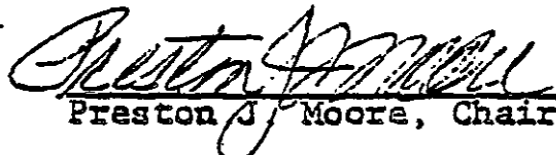
In this dispute the claimant was notified to attend an investigation regarding his being late for work on April 19, 1982 and to establish responsibility for a violation of Rule 15.

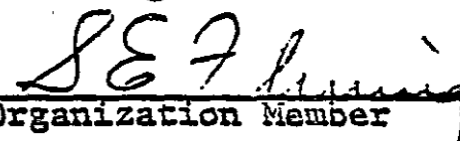
The transcript of record reveals that on Monday, April 19, 1982 the claimant was a member of extra gang 62 which was scheduled to report to San Angelo. That morning the claimant and a few other employees were not present at the depot at ten minutes after 8:00 a.m., and the roadmaster took the crew members present and departed for the work site. He testified the claimant showed up approximately twenty minutes after 8:00 a.m.

The claimant testified he had never been to San Angelo before and he departed his home in ample time to make the trip but ran into fog which delayed him more than an hour. Claimant testified he left home at 4:00 a.m. and the trip should normally take about three hours.

The evidence clearly established that the claimant failed to report for duty on time, and such is a violation of the rules. Under the circumstances there is no justification for setting the discipline aside.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member

Dated at Chicago, Illinois
June 30, 1982


Carrier Member