

PUBLIC LAW BOARD NO. 1582

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

STATEMENT OF CLAIM: Claim in behalf of former Trackman H. Lee, Albuquerque Division, for reinstatement with seniority, vacation and all other rights unimpaired and compensation for time lost beginning June 5, 1974.

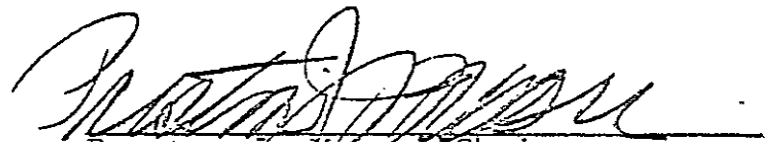
FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

In this dispute claimant was charged with being absent from duty without authority. The claimant was scheduled to report for duty at 8:00 a.m. and reported at 11:30 a.m. and gave the foreman a note. The note was to the claimant about his personal record having 55 demerits and his continued habit of being absent without permission. The note further stated he would be allowed to return to work but that the next time he failed to report for duty as required he would probably be removed from service.

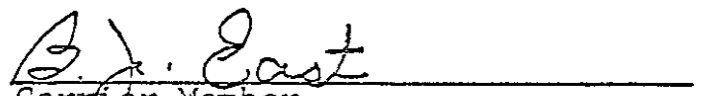
When claimant reported at 11:30 a.m. the foreman instructed him to go back to Winslow and claimant was charged with being absent without authority with the instant result. The claimant alleged his wife was ill and that he could not call in for he had no phone.

The claimant had gotten into this position by continually being absent from duty without authority, and the claimant should have had some means of reporting in late. Evidence is conclusive claimant was guilty as charged. He had a very poor work record and was only employed on December 12, 1973. Therefore the Board finds no reason to overrule the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member