

AWARD NO. 253
Case No. 282

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 that former Trackman-Truck Driver H. L. Buris, Northern Division, be reinstated to service with seniority, vacation, all benefit rights unimpaired, pay for wage loss and/or otherwise made whole, account unjustly terminated for accumulated excessive demerits.

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 having 65 demerits of record. The claimant had been notified by letter dated February 5, 1982 that his record stood charged with 55 demerits and that the assessment of 10 demerits on February 2, 1982 resulted in an accumulation of in excess of 60 demerits, and under Rule 31H of the General Rules for the Guidance of Employees 60 demerits subjected the employee to dismissal.

The Union filed an appeal which is now before the Board for adjudication. After a review of all the evidence, the Board finds that there is no justification for setting the decision of the Carrier aside.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member

Dated January 5, 1984
at Chicago, Illinois