

PUBLIC LAW BOARD NO. 1582

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

STATEMENT OF CLAIM: Claim in behalf of J. J. Alex, former trackman on the Albuquerque Division, for reinstatement to his former position with seniority, vacation and all other rights unimpaired and compensation for wage loss beginning February 16, 1973, continuing forward until date he is restored to service.

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 discharged from the service of the Carrier for being absent from duty without authority. The claimant herein has been in the service of the Carrier for approximately 18 years. In this instance the claimant's son was ill and the claimant needed to take him to a doctor.

Apparently the claimant has a poor record for being absent from duty and does not realize the importance of being at work. Employees must be aware that the Company requires them to report for work at scheduled times for an important purpose. Be that as it may, continued absenteeism without proper authority does justify permanent dismissal.


Because of the claimant's 18 years of service, the Board is (albeit reluctantly) going to reinstate the claimant with seniority and all other rights unimpaired but without pay for time lost. The claimant herein should be made aware, both by the Company and by the Organization, that any further absenteeism without authority will result in permanent discharge.

AWARD: Claim sustained as per above.

ORDER: The Carrier is directed to comply with this award within thirty days from the date of this award.


Preston J. Moore, Chairman


Organization Member


Carrier Member

September 12, 1975