

PUBLIC LAW BOARD NO. 1582

PARTIES) THE 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. I. Scott for reinstatement with seniority, vacation and all other rights unimpaired and pay for all wage loss beginning June 7, 1977, continuing forward until he is returned to service.

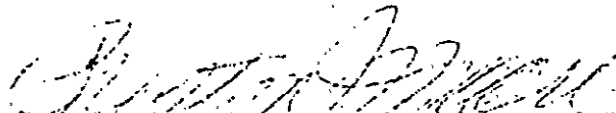
FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

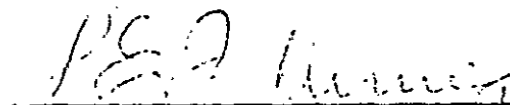
In this dispute the claimant was dismissed from the service of the Carrier for failure to protect his assignment in violation of Rules 1, 2, 13 and 15. Rule 13 includes being absent without authority in excess of ten calendar days.


The claimant testified he was absent as he was planning to be married and was in the process of renting a house when the marriage "blew up" and that he did not get married and lost all track of time. Claimant concedes he was absent without permission but does contend that he reported to the railroad thereafter and attempted to get leave after the fact. The leave was denied. The claimant made no attempt to get leave prior to being absent.

The claimant was a short term employee, having been employed in August of 1975, and had been absent without authority on two different occasions and assessed demerits therefor in 1977. Under these circumstances the Board finds no justification to overrule the decision of the Carrier.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member

Dated November 27, 1978