

PUBLIC LAW BOARD - NO. 3514

Case 46

Award 46

PARTIES Consolidated Rail Brotherhood of Maintenance
to Corporation and of Way Employees
DISPUTE:

STATEMENT OF CLAIM: That Trackman E. Savage was unjustly dismissed from the service of the Carrier, and that the Claimant be reinstated to the service with seniority rights and other benefits unimpaired and with compensation for all lost time while out of service of the Carrier.


FINDINGS: The Carrier contends that the Claimant failed to report for duty on five occasions during July 1981. On these grounds, and in consideration of his past record of absenteeism and discipline, it imposed the penalty of dismissal.


At the hearing, the Claimant provided his reasons for being absent on the five days cited in the Carrier's charge. However, while the Board is not unsympathetic to the Claimant's personal problems, these do not set aside the fact that he absented himself without proper authority. Under these circumstances and given his past record, we will not disturb the Carrier's disposition in this case.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

APR 11 1985