

PUBLIC LAW BOARD - NO. 3514

Case 52

Award 52

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


STATEMENT OF CLAIM: That Trackman R. W. Gillam was unjustly dismissed from the service of the Carrier, and that he be reinstated to the service with seniority rights and other benefits unimpaired and compensated for all lost time while out of the service.


FINDINGS: The Claimant, subsequent to an investigation, was found guilty of being absent on a number of days in August and September 1981 without proper authority. The record shows that he had previously been dismissed for unauthorized absences and restored to duty on a last chance leniency basis.

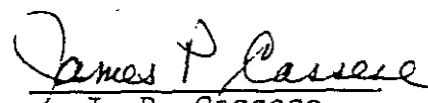
The Claimant, while providing reasons for some of his absences, acknowledges guilt of the charges as contended by the Carrier. Under the circumstances herein and in view of the Claimant's past record, which certainly put him on notice with respect to his responsibility to work on a regular basis, the claim must fail.

AWARD

The claim is denied.


F. J. Domzalski
Carrier Member


Eckehard Muessig
Neutral Member


J. P. Cassese
Employee Member

APR 11 1985