

PUBLIC LAW BOARD NO. 3514

Case No. 80

Award No. 70

PARTIES Brotherhood of Maintenance of Way Employees  
to -and-

DISPUTE: Consolidated Rail Corporation


STATEMENT OF CLAIM: Appeal of Trackman, K. Coston, to have his  
dismissal removed from his record and to be restored to the service.

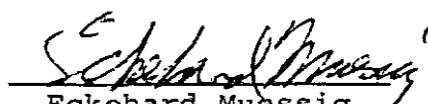
FINDING: The Claimant herein failed to protect his assignment  
on three days in October 1980. The Carrier, in consideration of  
the Claimant's previous attendance record, concluded that the  
Claimant had been excessively absent from his assignment, and he  
was dismissed from the service.

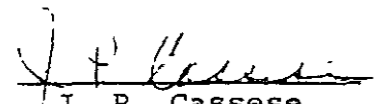
This Board has consistently held that the Carrier is not  
unreasonable when it expects regularity of work attendance so that  
it may manage its operations. The record here establishes that  
the Claimant admitted that he did not have permission to be absent  
on the three days in October 1980. Accordingly, in light of his  
previous attendance record and short seniority, the Carrier's  
decision cannot be considered unduly harsh.

AWARD

The claim is denied.

  
F. J. Domzalski  
Carrier Member

  
Eckehard Muessig  
Neutral Member

  
J. P. Cassese  
Employee Member

Dated: AUG 2 1985