

PUBLIC LAW BOARD NO. 3514

Case No. 75

Award No. 86

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


STATEMENT OF CLAIM: Appeal by Trackman James Dean to have  
twenty (20) days actual suspension removed.

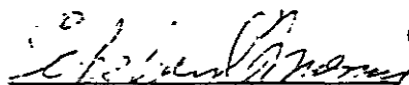
FINDINGS: Subsequent to an investigation, the Claimant was found  
guilty of the charge of leaving his job on two separate occasions  
after four hours of duty to go to a credit union. The Carrier  
concluded that the Claimant's failure to cover his assignment,  
when considered in the light of past infractions of the same  
nature, warranted the assessment of twenty (20) days suspension  
for being excessively absent.


This Board, as well as many others, has found that the  
Carrier is not unreasonable when it expects regularity of work  
attendance in order that it may manage its operations. The Claimant  
here acknowledged that he did not properly cover his work assign-  
ment as initially charged. Accordingly, the Carrier, in considera-  
tion of the Claimant's past record, cannot be said to have been  
arbitrary or capricious in assessing the penalty.

AWARD

The claim is denied.

  
P. J. Domzalski  
Carrier Member

  
Eckehard Muessig  
Neutral Member

  
J. P. Cassese  
Employee Member

JAN 23 1986