

PUBLIC LAW BOARD NO. 3542

Parties
to the
Dispute

Pennsylvania Federation Brotherhood of
Maintenance of Way Employees

vs.

Consolidated Rail Corporation

AWARD No. 14
Case No. 11

STATEMENT OF CLAIM

(a) That Larry C. Johnson, employed on September 9, 1974 as a Trackman, be restored to service with seniority rights and all other privileges provided for by either agreement or past practice. That he be compensated for all time lost until such time he is or would be able to perform his usual function for the Carrier.

(b) That Larry C. Johnson's record be cleared of all charges brought against his record.

OPINION OF THE BOARD

Claimant Larry C. Johnson, a Trackman employed by the Carrier in Pittsburgh, Pennsylvania, was charged on September 1, 1982, "In connection with unauthorized absence July 7, 8, 15, 21, 23, 29, and 30, 1982."

A hearing into the matter was held September 13, 1982. At the conclusion of the hearing, Claimant was found guilty as charged and

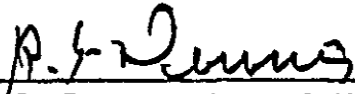
dismissed from Carrier's service.

A transcript of the record is a part of this case.

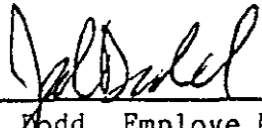
This Board has carefully reviewed the record of this case and must conclude that Carrier was justified in its discipline of dismissal. Claimant Johnson has exhibited extreme irresponsibility toward both his fellow employees and Carrier. Unauthorized absenteeism hinders Carrier's ability to plan and allocate work efficiently. The end result is more work for the other employees, as they attempt to continue in Claimant's absence. In addition, Claimant Johnson's past record of discipline (four 10-day suspensions and four Letters of Warning, all for absenteeism) clearly shows him as someone unwilling to reform and accept responsibility. Carrier need feel no continued patience with this employee.

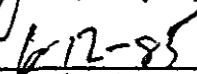
AWARD

The claim is denied.

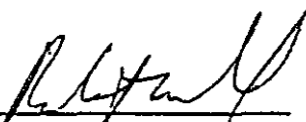


R. E. Dennis, Neutral Member



J. Todd, Employee Member


Date of Adoption



R. O'Neil, Carrier Member