

SPECIAL **BOARD** OF ADJUSTMENT NO. 1016

AWARD NOS. 137
CASE NO. 137

PARTIES TO
THE DISPUTE: Brotherhood of Maintenance of Way Employees

vs.

Consolidated Rail Corporation

ARBITRATOR: Gerald E. Wallin

DECISIONS: Claim Dismissed.

DATE: February 16, 2001

STATEMENT OF CLAIM:

“Claim of the System Committee of the Brotherhood that:

1. The seniority termination of Cook J. A. White for his failure to contact his supervisor concerning his absence from work for over fourteen (14) consecutive days was without just and sufficient cause and in violation of the Agreement (System Docket MW-4855).
2. As a consequence of the violation referred to in Part (1) above, Cook J. A. White shall be reinstated to service with seniority, compensated for all wage loss suffered and his record shall be cleared of this incident.”

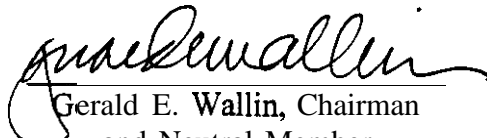
FINDINGS OF THE BOARD:

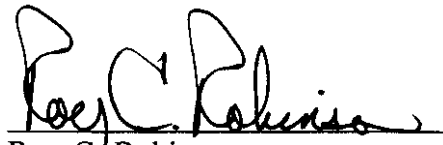
The Board, upon the whole record and on the evidence, finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that this Board is **duly** constituted by agreement of the parties; that the Board has jurisdiction over the dispute, and that the parties were given due notice of the hearing.


Subsequent to the hearing, the Board has gained the understanding that all of the disputed issues of this Claim have been resolved. The Claim, therefore, may be dismissed.

AWARD:

Claim Dismissed.


Gerald E. Wallin, Chairman
and Neutral Member


Roy C. Robinson,
Organization Member


Dennis L. Kerby,
Carrier Member