

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 616

Docket No. 616
File 930104

Parties Brotherhood of Maintenance of Way Employes
to and
Dispute Union Pacific Railroad Company
(Former MOPAC)

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12, when E. J. Griffith (SSN 585-64-0424) was dismissed from service October 16, 1992.

(2) Claim in behalf of Mr. Griffith for wage loss suffered beginning October 2, 1992 and continuing until Claimant is restored to service with seniority, vacation, and all other rights unimpaired.

Findings: The Board has jurisdiction by reason of the parties Agreement establishing the Board therefor.

Claimant, was first employed by Carrier on July 2, 1992. On October 16, 1992 he was dismissed from service as a result of unauthorized absences for the continuous period September 8 through 28, 1992 while he was assigned as Trackman on Gang 9169 working in the vicinity of Boone Ville, Missouri. Claimant was notified to attend a formal investigation for being absent without authority from his assigned position on the work dates September 8 and 28, 1992. Claimant failed to appear thereat and the investigation was held in absentia. Notwithstanding, he is bound by the results of the evidence adduced.

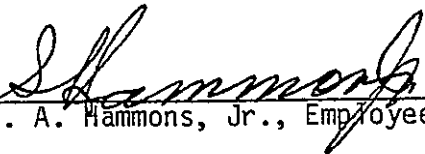
The Claimant was accorded the due process to which entitled under his discipline rule.

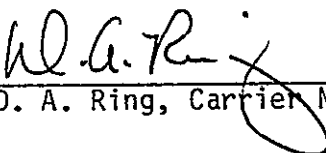
There was sufficient evidence adduced to support Carrier's conclusion as to his culpability.

His unexplained absence for the period in question reflects the Claimant's interest as displayed by not attending the investigation as well as his failing to ask for authority for his absence. The Carrier need not be burdened by an employee with such indifference to his employment obligations. The discipline assessed is reasonable.

This claim will be denied.

Award: Claim denied.


S. A. Hammons, Jr., Employee Member


D. A. Ring, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued January 31, 1994.