

SPECIAL BOARD OF ADJUSTMENT NO. 986

Case No. 41

Docket No. NEC-BMWE-SD-1503D

PARTIES: Brotherhood of Maintenance of Way Employees

TO :

DISPUTE: National Railroad Passenger Corporation (Amtrak)

FINDINGS:

On April 18, 1986, Claimant J.O. Clark was notified to attend a hearing in connection with the charge:

Excessive absenteeism in that you were absent on April 3, 8, 9, 11 and 13, 1986.


The hearing was held on April 28, 1986, and as a result, Claimant was assessed a thirty-day suspension. The Organization thereafter filed a claim on Claimant's behalf, challenging his suspension.

This Board has reviewed the evidence and testimony in this case, and we find that there is sufficient evidence in the record to support the finding that the Claimant was guilty of excessive absenteeism.

Once this Board has determined that there is sufficient evidence to find the Claimant guilty, we next turn our attention to the type of discipline imposed. In this case, the Grievant had already received a 10-day suspension for excessive absenteeism. Consequently, there was nothing unreasonable about the 30-day suspension for the next offense. This Board will not set that discipline aside.

Award:

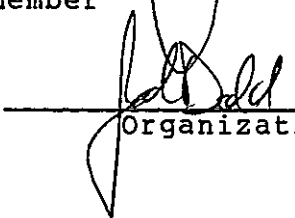
Claim denied.



Neutral Member



Carrier Member



Organization Member

Date: 4-12-88