

SPECIAL BOARD OF ADJUSTMENT NO. 986

Case No. 45

Docket No. NEC-BMW-SD-1686D

PARTIES: Brotherhood of Maintenance of Way Employees

TO :

DISPUTE: National Railroad Passenger Corporation (Amtrak)

FINDINGS:

On September 2, 1986, Claimant E. Rice was notified to attend a hearing in connection with the charge:

Violation of Amtrak Rules of Conduct (NRPC 2525) Rule 'O', which reads in part as follows:

Rule 'O' . . . "Employees must report for duty at the designated time and place and must attend to their duties during assigned working hours. Employees may not be absent from their assigned duty or engage in other than Amtrak business while on duty or on Amtrak property without permission from their Supervisor"

Specification: In that on August 29, 1986, at 1:00 P.M., at M.P. 54.3, #2 Track, (Millham) Trenton, New Jersey, while working as Trackman, Undercutter Support, you walked off the job without permission.

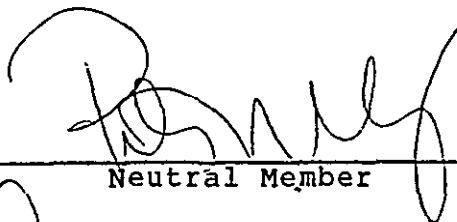
The hearing was held on October 14, 1986, and as a result, Claimant was assessed a suspension of three working days. The Organization thereafter filed a claim on Claimant's behalf, challenging the suspension.

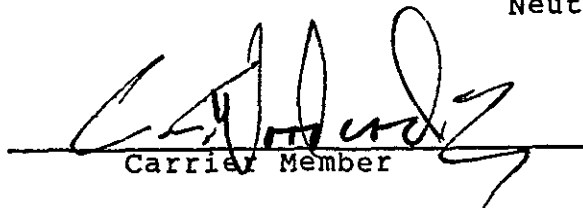
This Board has reviewed the evidence and testimony in this case, and we find that there is sufficient evidence in the record to support the finding that the Claimant was guilty of the offense with which he was charged.

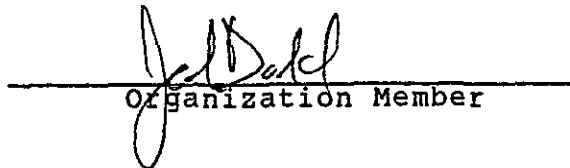
Once this Board has determined that there is sufficient evidence in the record to support the guilty finding, we next turn our attention to the type of discipline imposed. A 3-day suspension for the offense here is not unreasonable. Therefore, the claim must be denied.

Award:

Claim denied.



Neutral Member

Carrier Member

Organization MemberDate: 4-12-88