

**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."

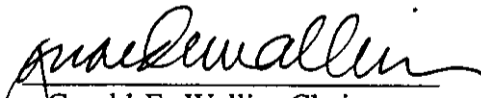
**FINDINGS OF THE BOARD:**


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