

SPECIAL BOARD OF ADJUSTMENT NO. 280

Award No. 128
Case No. 208

PARTIES TO DISPUTE:

St. Louis - Southwestern Railway

and

Brotherhood of Maintenance of Way Employees

STATEMENT OF CLAIM:

- "I. Carrier violated the Maintenance of Way Agreement, especially but not limited to Rule 6 - Discipline and Grievances, when hearing was held at Pine Bluff, Arkansas, on February 7, 1975, and Mr. Billie Joe Little was not was not present to properly put a defense.
- "II. Laborer Billie Joe Little be allowed pay for all time lost beginning on January 29, 1975 until the date that he is reinstated with all seniority and vacation rights restored."

FINDINGS:

Claimant, an employe of approximately four months, was charged with being absent from January 1 to January 27, 1975 without authority in violation of Rules M-810 and M-811. Hearing was scheduled for February 7, 1975, and Claimant was notified of the hearing on February 5, 1975 by certified mail. Claimant failed to appear, but his representative was present. After the hearing, Claimant was dismissed from Carrier's service.

A review of the record shows that Claimant recieved a fair and impartial hearing despite his unexplained absence. The Board further finds that the substantive evidence of probative value warrants Carrier's action.

AWARD

Claim denied.

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MR. Rums
Neutral Member

CB Doyle
Carrier Member

Ma. Christie
Organization Member

Sept 5, 1979
Date