

PUBLIC LAW BOARD NO. 1582

PARTIES) THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
TO)
DISPUTE) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

STATEMENT OF CLAIM:

1. Carrier's decision to remove former Texas Division B&B Foreman R. D. Taylor from service, effective February 1, 1989, was unjust.
2. Accordingly Carrier should be required to reinstate Claimant Taylor to service with his seniority rights unimpaired and compensate him for all wages lost from February 1, 1989.

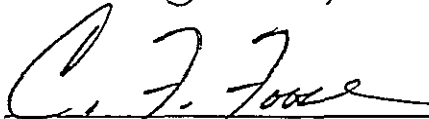
FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.


In this dispute the claimant was notified to attend an investigation on March 2, 1989 to develop the facts and place his responsibility, if any, in connection with possible violation of Rules 1210 and 1211, Rules Maintenance of Way and Structures, Form 1015 Std., and Rules B. C, 1000, 1007, 1026 and 1028 (a and b) Safety and General Rules for all Employees, Form 2629 Std., concerning his allegedly charging Code 42 and 43 per diem expenses on his timesheet for December 1988 and January of 1989 and charging meal and lodging expenses for the same period on expense Form 1665 Std; also that he charged overtime during January of 1989 to complete paper work and take a physical on January 27, 1989.

The Board has studied the transcript of record which contains 22 pages. After consideration thereof, the Board has been notified that the claimant has retired, and the issue herein is now moot.

AWARD: Claim dismissed.


Preston J. Moore, Chairman


Union Member


Carrier Member

*Dated at Chicago, Illinois
January 29, 1990*