

**NATIONAL MEDIATION BOARD
PUBLIC LAW BOARD NO. 6089**

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

and

UNION PACIFIC RAILROAD COMPANY

)
) Case No. 18
)
)
) Award No. 19
)

Martin H. Malin, Chairman & Neutral Member
R. B. Wehrli, Employee Member
D. A. Ring, Carrier Member

Hearing Date: August 26, 1999

STATEMENT OF CLAIM:

1. The Level 4 discipline assessed Sectionman M. J. Haas for alleged insubordination and Union Pacific Rule 1.6 Conduct for an incident that happened on July 29, 1997 was without just and sufficient cause, arbitrary, capricious and in violation of the Agreement (System File D-296/1105823).
2. As a consequence of the violation referred to in Part (1) above, Sectionman M. J. Haas shall now be afforded the remedy outlines in Rule 48(h).

FINDINGS:

Public Law Board No. 6089, upon the whole record and all the evidence, finds and holds that Employee and Carrier are employee and carrier within the meaning of the Railway Labor Act, as amended; and, that the Board has jurisdiction over the dispute herein; and, that the parties to the dispute were given due notice of the hearing thereon and did participate therein.

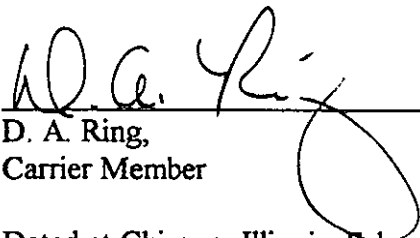
The Organization has advised the Board that it wishes to withdraw the instant claim. Accordingly, the claim is withdrawn.

AWARD

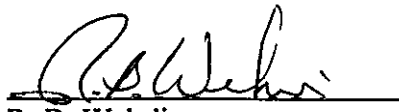
Claim withdrawn.



Martin H. Malin, Chairman



D. A. Ring,
Carrier Member



R. B. Wehrli
Employee Member

Dated at Chicago, Illinois, February 21, 2000.