

PUBLIC LAW BOARD NO. 2105

Case No. 113
Award No. 113

Parties to dispute:

United Transportation Union

and

Union Pacific Railroad Company (T&P)

Statement of claim:

Request that Brakeman J. B. Newton, who has dismissed from the service of the Union Pacific Railroad Company on October 31, 1988, be reinstated with seniority and vacation rights unimpaired and with full pay for all time lost; declined by Director of Labor Relations in his decision of May 23, 1989.

Opinion of Board:

Claimant was found to have responsibility in an altercation with his engineer. The record convinces us that permanent dismissal was excessive, but it also convinces us that the claim for pay for time lost should be denied. Thus, we allow the claim for return to service.

Findings:

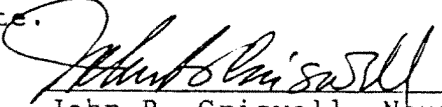
That the Agreement was violated.

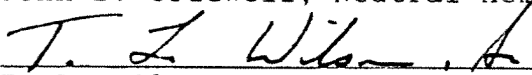
Award:

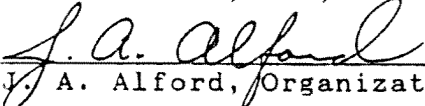
Claim sustained in part; denied in part.

Dated this 20th day of July, 1990, at Omaha NE.

Carrier is directed to make this Award effective on or before 30 days from date.


John B. Criswell, Neutral Member


T. L. Wilson, Sr., Carrier Member


J. A. Alford, Organization Member