

AWARD NO. 136
Docket No. 136

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT
OF CLAIM:

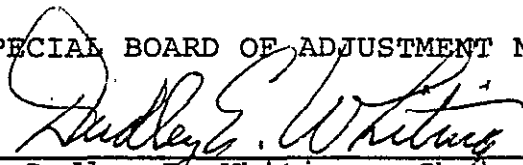
Claim of the Committee that:

1. Carrier violated the effective Agreement by unfairly dismissing Trackman W. J. Green on October 17, 1977, for rule violations improperly assessed to him.
2. Claimant Green shall be paid for eight hours at straight time rate of pay for trackman, each work day and holiday, to begin September 28, 1977, when he was withheld from service, and to continue until such time as he is returned to work with his seniority and vacation rights restored.

FINDINGS: The evidence adduced at the investigation clearly sustains the charges against the claimant and he admitted assaulting the foreman with a shovel, so there is no merit to this claim.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279


Dudley E. Whiting - Chairman


M. A. Christie
Employee Member


L. D. Brown
Carrier Member

St. Louis, Missouri
November 15, 1979
File 247-5559