

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 when Roadway Machine Operator C. R. Brass was unjustly dismissed by notice dated March 2, 1979.
2. Claimant Brass shall be reinstated with seniority rights, pass privileges, vacation rights unimpaired, as well as his restoration of all other rights and privileges accruing to him, which would have been his under the provisions of various agreements if he had not been dismissed from the service of the Carrier March 2, 1979, and be paid for loss of wages suffered from March 2, 1979, claim to run concurrently until Mr. Brass is returned to his job.

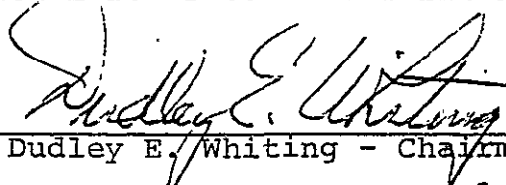
FINDINGS:

The evidence adduced at the investigation sustains the charge and, since the claimant was previously disciplined for the same offense the penalty of dismissal is not excessive.

AWARD:

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279


Dudley E. Whiting - Chairman


M. A. Christie - Employee Member


L. D. Brown - Carrier Member