

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 Trackman Henry Toliver, Jr. was unjustly dismissed by notice dated May 15, 1979.
2. Claimant Toliver shall be reinstated with seniority rights, pass privileges, vacation 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 May 15, 1979, and be paid for loss of wages suffered from May 15, 1979, claim to run concurrently until Mr. Toliver is returned to his job.

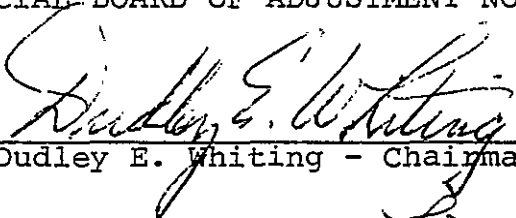
FINDINGS:


The evidence adduced at the investigation sustained the charge and in view of claimant's relatively short service, his poor attendance record and his warning thereon 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