

Award No. 186
Docket No. 186

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT
OF CLAIM:

1. Carrier violated agreement on March 16, 1981, when Trackman R. N. Holland, Central Division, was dismissed for insubordination to Track Foreman H. D. Seaton while working as trackman on Gang 5176 near Hanson, Oklahoma, at about 11:30 A.M., March 4, 1981.
2. Claimant shall now be paid for all time lost beginning March 4, 1981.

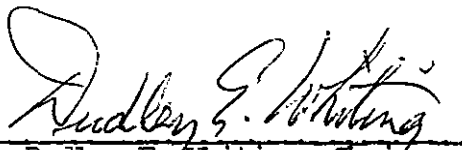
FINDINGS:

Evidence was adduced at the investigation to support the charge against the claimant and considering his short service, dismissal was not excessive. The employees attempt to minimize the incident but it is apparent that it developed because of claimant's tendency to argue with his foreman, so he has only himself to blame regardless of the minimal nature of the circumstances out of which his insubordination developed.

AWARD:

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279


Dudley E. Whiting, Chairman


M. A. Christie, Employee Member


L. D. Brown, Carrier Member

San Antonio, Texas
January 14, 1983
247-6212