

Docket No. 207
AWARD NO. 207

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT
OF CLAIM:

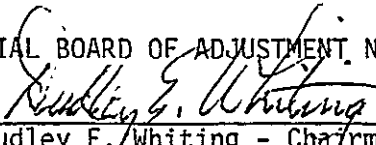
Claim of the System Committee that:

- "(1) Carrier violated the agreement during the period September 29, 1982 to March 1, 1983 when Track Foreman W. Brockman, Jr., was dismissed for allegedly failing to comply with verbal instructions of the General Roadmaster and conduct unbecoming an employee while working as foreman on Track Gang 5218 at Osawatomie on August 17, 1982.
- (2) Claimant shall now be paid for all wages lost for the period September 29, 1982 through March 1, 1983, as a result of the Carrier's alleged violation of Rule 12 of the MofW Agreement."

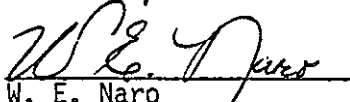
FINDINGS: If the Carrier's decision to tie up Track Gang 5218 at Osawatomie was unreasonable or violative of the Agreement it was a matter for the grievance procedure not continued and extended argument at the work site. Thus, we are constrained to find that the evidence adduced at the investigation supported the charge, and in view of claimant's prior discipline record the claim cannot be sustained.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279


Dudley E. Whiting - Chairman


M. A. Christie
Employee Member


W. E. Naro
Carrier Member

March 9, 1984

File: 247-6484