

Case No. : 220
AWARD NO.: 220

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT
OF CLAIM:

"(1) Carrier violated the agreement on May 2, 1983, when Trackman F. T. Giles, Kansas City Terminal, was dismissed from service for leaving his assignment without authority on April 27, 1983.

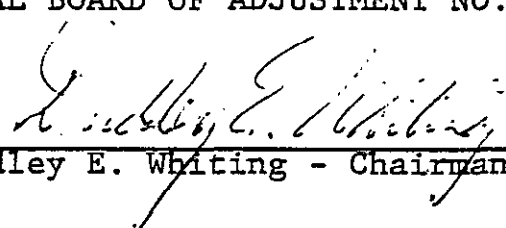
"(2) Claimant shall now be returned to service with all rights unimpaired and paid for all time lost beginning May 3, 1983."


FINDINGS: The evidence adduced at the investigation does not support the charge. Claimant was authorized by his foreman to go to the office to obtain permission to leave, the roadmaster's office had been moved without his knowledge, he was delivered to the former office by a switchman, and there is no evidence that he left the property until after the end of his shift.

The agreement provides for payment of wage loss, if any, which involves the deduction of earnings in other employment and unemployment compensation received during the time off work.

AWARD: Claim sustained to the extent stated in the Findings.

SPECIAL BOARD OF ADJUSTMENT NO. 279


Dudley E. Whiting - Chairman


M. A. Christie
Employee Member


J. J. Shannon
Carrier Member

September 27, 1985

File: 247-6575