

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 276

Case No. 276  
File 247-7087

Parties Brotherhood of Maintenance of Way Employees  
to and  
Dispute Union Pacific Railroad Company

Statement

of Claim: (1) Carrier violated the current working agreement,  
especially Rule 12, when Trackman C. I. Sanders was dismissed  
from the service effective August 8, 1985.

(2) Trackman Sanders should now be allowed eight hours pay  
for each workday, including any holidays and any overtime  
which would have accrued to him, beginning August 1, 1985 and  
continuing until reinstated to service with seniority, pass  
and vacation rights unimpaired.

The Board has jurisdiction of this case.

Claimant Trackman, on July 31, 1985, had five months of service  
and was working as Trackman under the supervision of an Assistant  
Foreman near Marshall, Texas. As a result of several incidents  
occurring, Claimant was notified to attend a formal investigation on  
the charge:

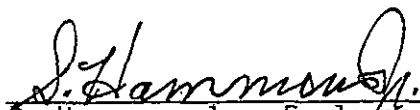
"...that you allegedly failed to comply with the instructions  
of Assistant Foreman D. L. Lemly, that you absented yourself  
without proper authority and presented yourself in conduct  
unbecoming an employee..."

Claimant was accorded due process.

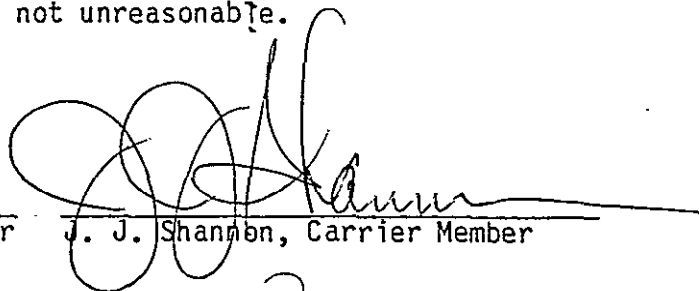
There was sufficient evidence adduced to support Carrier's  
conclusion.

The discipline imposed was not unreasonable.

Award: Claim denied.



S. Hammons, Jr., Employee Member



J. J. Shannon, Carrier Member



Arthur T. Van Wart, Chairman  
and Neutral Member