

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 280

Case No. 280
File 247-7120

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

Statement

of Claim: (1) Carrier violated the agreement when Trackman F. L. Scott was dismissed from the service effective December 20, 1985.

(2) Claimant Scott should now be allowed eight hours pay for each workday, including any holidays falling therein, and any overtime which would have accrued to him, beginning December 4, 1985, continuing until he is reinstated to service with seniority, pass and vacation rights unimpaired.

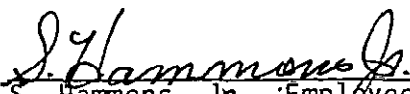
The Board has jurisdiction of this case.

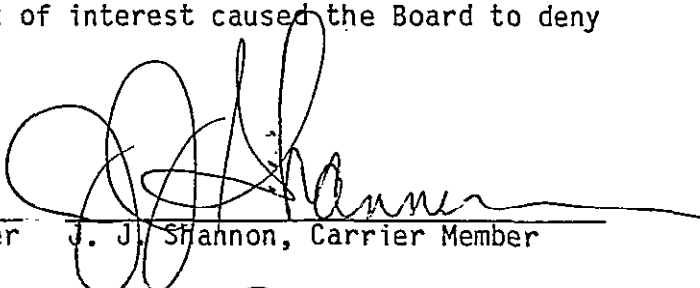
Claimant Trackman failed to protect his assignment from August 16, 1985 until December 4, 1985. He was, therefore, notified to attend a formal investigation on December 4, 1985. It was held on December 18, 1985 and, because Claimant failed to appear after a delay, it was held in absentia.


Claimant had talked to the Roadmaster on December 4 and advised that he had not worked because he had car trouble, a shortage of money and that he had to attend to personal business.

The record supports the Carrier's decision to separate Claimant from service. The Board cannot furnish the incentive which Claimant is lacking. His continued lack of interest caused the Board to deny the claim.

Award: Claim denied.


S. Hammons, Jr., Employee Member


J. J. Shannon, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued May 28, 1988.