

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 286

Case No. 286
File 247-7151

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 on August 22, 1985, Trackman Frank Gloston was taken out of service due to Chief Medical Officer Rouse's notice.

(2) Claimant Frank Gloston should now be allowed eight hours compensation for each workday, including any overtime which would have accrued to him and any holidays falling therein beginning August 22, 1985, continuing until he is permitted to fill his position as Trackman with all his seniority and vacation rights unimpaired.

The Board has jurisdiction of this case.

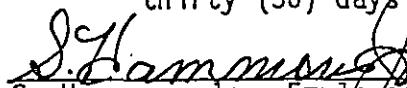
Claimant Trackman has been suffering from hypertension and alcoholism over the last some six years of his employment. This has necessitated his adherence to a regimen of quarterly blood pressure checks and a commitment to a alcoholism rehabilitation program monitored by his Employee Assistance Program Counselor.

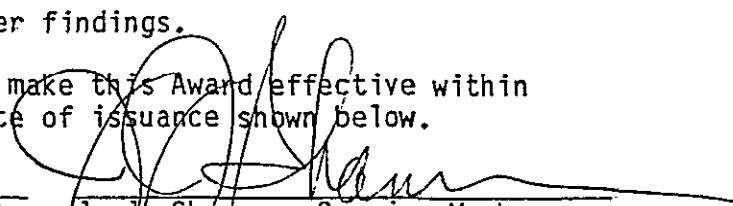
The record supports the conclusion that Claimant has a problem which he must deal with and overcome. His refusal to fulfill his obligations within the framework of the Employee Assistance Program is the cause for his status at the present time.


Therefore, Claimant will be offered the opportunity to again participate in and to comply with the requirements of the Employee Assistance Program. Claimant must pass that program in order to be a full fledged employee again. His failure to comply within 30 days of the notification thereof will cause the claim to be denied and the case closed at that time.

Award: Claim disposed of as per findings.

Order: Carrier is directed to make this Award effective within thirty (30) days of date of issuance shown below.


S. Hammons, Jr., Employee Member


J. J. Shannon, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued May 28, 1988.