

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 357

Case No. 357

File 870735G

Parties to Dispute: Brotherhood of Maintenance of Way Employees
and
Union Pacific Railroad
(Former Missouri Pacific Railroad Company)

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12, when Trackman Eugene Wallace was assessed a 30 day actual suspension.

(2) Claim in behalf of Trackman Wallace to remove the 30 days actual suspension from his record with pay for wage loss suffered and restore his seniority, vacation, and all other rights due him unimpaired.

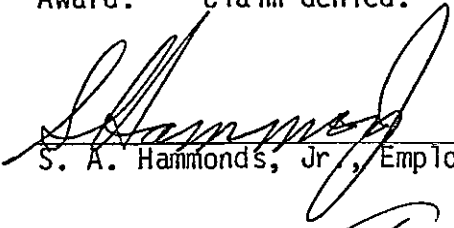
Findings: The Board has jurisdiction by reason of the parties Agreement establishing this Board.

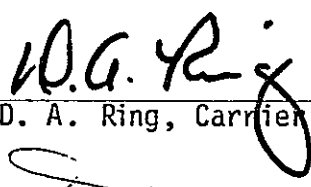
Claimant Trackman Eugene Wallace while working as such on Extra Gang 1077 in Memphis, Tennessee, allegedly injured himself at MP 385 at 11:00 AM on May 8, 1987. However, he failed to properly report the alleged injury until approximately 11:00 AM on May 26, 1987.


As a result a formal investigation was held in connection therewith and as a result Claimant was assessed a thirty day actual suspension.

There was sufficient evidence adduced, including the admissions of Claimant that he had not reported his personal injury to a supervisor, to support Carrier's conclusion as to his culpability. The discipline assessed is found to be reasonable. This claim will be denied.

Award: Claim denied.


S. A. Hammonds, Jr., Employee Member


D. A. Ring, Carrier Member


Arthur I. Van Wart, Chairman
and Neutral Member

Issued September 30, 1989.