

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 521

Docket No. 521

File 910054

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

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12,
when Trackman R. G. Lewis was dismissed on October 4, 1990.

(2) Claim on behalf of Mr. Lewis for wage loss suffered,
until reinstated with seniority, vacation and all other
rights unimpaired.

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

The Claimant, Laborer R. G. Lewis, following a formal
investigation held on September 21, 1990, on the charge:

"Falsification of Application for Employment with the Union
Pacific Railroad in July 1989, by furnishing false
information during interview, on the employment application
and medical history Form 16901 including false information
with respect to prior injuries, accident, medical
conditions, disabilities and disability compensation."

Carrier concluded therefrom that Claimant was found to
be culpable. He was dismissed from service as discipline
therefor.

Claimant was accorded the due process to which entitled
under his discipline rule.

There was sufficient evidence adduced to support the
Carrier's conclusion that he had falsified his employment
application with Union Pacific Railroad in July 1989 by
furnishing false information during the interview and on the
employment application. Also with his medical history,
including false information with respect to prior injuries,
accidents and medical conditions, disabilities and
disability compensation.

The discipline of discharge is consistent with similar
measures of discipline accorded similar cases in the past.

Award: Claim denied.

Sol Hammons Jr.

S. A. Hammons, Jr., Employee Member

R. O. Rock

R. O. Rock, Carrier Member

Arthur T. Van Wart

Arthur T. Van Wart, Chairman
and Neutral Member

Issued April 24, 1992.