

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 570

Case No. 570

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

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12,
when D. J. Hearn was assessed a letter of reprimand.

(2) Claim in behalf of Mr. Hearn for removal of discipline
assessed.

Findings: The Board has jurisdiction of this dispute by reason
of the Parties Agreement establishing this Board therefor.

Claimant Trackman attended a formal investigation on
August 20, 1991 on the charge:

"On July 29, 1991, while working as a Trackman/Driver on Tie
Gang 9165 in the vicinity of Mineral Wells, Texas, you
allegedly drained diesel fuel onto the ground creating a
hazardous spill."


As a result of thereof, the Carrier concluded Claimant
to be culpable. He was given a letter of reprimand as
discipline therefor.

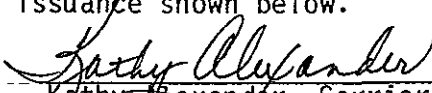
Claimant was accorded the due process to which entitled
under Rule 12. There was sufficient evidence adduced to
support the conclusion of Carrier as to the Claimant's
guilt.

The discipline was reasonable. It has now served its
purpose. Therefore, it should now be removed from the
Claimant's record.

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. A. Hammons, Jr., Employee Member


Kathy Alexander, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued May 22, 1993.