

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 573

Case No. 573

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 J. E. Martinez was assessed a 5 days actual
suspension.

(2) Claim in behalf of Mr. Martinez for wage loss suffered
October 21 - 25, 1991.

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

The Claimant Trackman was notified to attend a formal
investigation to be held on October 8, 1991, on the charge:

"You failed to properly protect your job assignment of
Trackman, Gang 2821, on Friday, October 4, 1991, and that
you failed to obtain permission to be absent this date.
This investigation will include a review of your work
record."

The Carrier concluded therefrom that the Claimant was
culpable in that he failed to obtain authority to be absent.
A five days actual suspension was imposed as discipline
thereof.

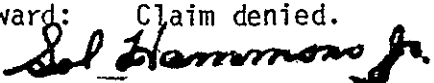
The Board finds that the Claimant was accorded the due
process to which entitled.


There was sufficient evidence adduced to support the
conclusions of the Carrier.


The discipline assessed in light of the offense is not
deemed unreasonable.

This claim will be denied.

Award: Claim denied.


S. A. Hammons, Jr., Employee Member


Kathy Alexander, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member