

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 580

Case No. 580

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

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12, when J. E. Segueda was dismissed from service on November 19, 1991.

(2) Claim in behalf of Mr. Segueda for wage loss suffered beginning November 19, 1991 until reinstated on July 1, 1992, and removal of said discipline from his record.

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


Claimant, Track J. E. Segueda, following a formal investigation on the charge of failure to promptly report an alleged personal injury to himself while working on Gang 2802 at Freeport, Texas, on September 9, 1991 was dismissed from service as discipline therefor on November 19, 1991. He was reinstated to service on July 1, 1992.

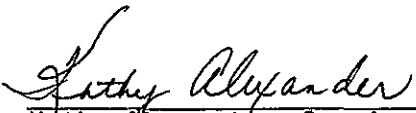
The Board finds that Claimant was accorded the due process to which entitled under Rule 12.


There was sufficient evidence adduced to support the Carrier's conclusion as to the Claimant's culpability.

The discipline imposed is deemed reasonable. The claim is denied.

Award: Claim denied.


S. A. Hammons, Jr., Employee Member


Kathy Alexander, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued May 22, 1993.