

SPECIAL BOARD OF ADJUSTMENT NO. 1049

Award NO. 47

Parties to Dispute:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

AND

NORFOLK SOUTHERN RAILWAY COMPANY

Statement of Claim:

Claim on behalf of D. R. Favors for reinstatement to service with his seniority and compensation for all lost pay, as a result of investigation held on April 2, 1993, in connection with sleeping on duty during the Safety Meeting on March 23, 1993.

[Carrier File: MW-ATLA-93-5]

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

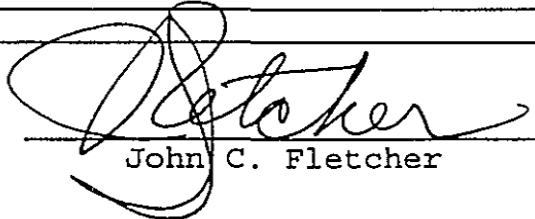
This award is based on the facts and circumstances of this particular case and shall not serve as a precedent in any other case.


AWARD


After thoroughly reviewing and considering the transcript and the parties' presentations, the Board finds that the claim should be disposed of as follows:

The investigation established that Claimant was guilty of the charges placed against him. Discipline was warranted. The Discipline of dismissal will not be disturbed.

Claim denied.


John C. Fletcher


Richard A. Lau
Organization Member


E. N. Jacobs, Jr.
Carrier Member

Issued at Norfolk, Virginia on August 30, 1993