

SPECIAL BOARD OF ADJUSTMENT NO. 279BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANYSTATEMENT
OF CLAIM:

Claim of the Committee that:

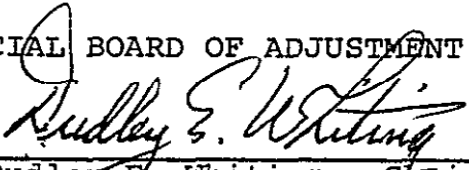
1. Carrier violated the Agreement by removing Trackman F. L. Turner from active service on July 17, 1974, without just cause and without affording him an investigation as per Rule 12, especially Section 1(a).
2. Carrier shall reimburse Claimant Turner for all time of 8 hours each work day, including any holidays falling therein, at his respective trackman's rate of pay beginning July 17, 1974, and continuing until permitted to return to his position as trackman with seniority, pass and vacation rights unimpaired.

FINDINGS: The record in this case does not justify a sustenance of the claim on the merits. Moreover, it appears that on May 14, 1976, the claimant signed a release of employment rights including "any and all claims whatsoever" against the Carrier.

Accordingly, this claim cannot be sustained.

AWARD:

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279
Dudley E. Whiting - Chairman
A. J. Cunningham - Employee Member
V. E. Hanika - Carrier MemberSt. Louis, Mo.
November 18, 1977
File: 310-128