

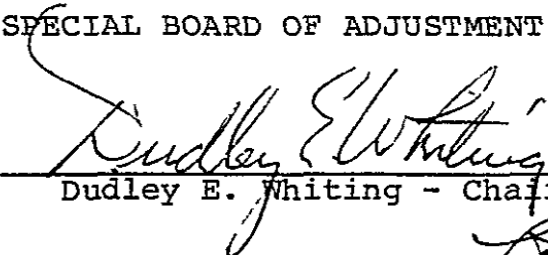

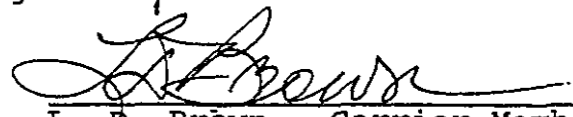
SPECIAL BOARD OF ADJUSTMENT NO. 279BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
versus
MISSOURI PACIFIC RAILROAD COMPANYSTATEMENT
OF CLAIM:

Claim of the Committee that:

1. Carrier violated the effective Agreement by unfairly dismissing Trackman C. W. Bynum from Carrier's service on January 31, 1977.
2. Claimant Bynum shall now be returned to the position of Trackman on Rail Gang 6800, with all seniority rights, pass privileges, vacation rights unimpaired, as well as his restoration of all other rights and privileges accruing to him, which would have been his under the provisions of various agreements, if he had not been dismissed from the service of the Carrier on January 31, 1977, and that he be paid for all time lost that he has suffered on account of dismissal, claim to run concurrently until Mr. Bynum is returned to service.

FINDINGS: The testimony adduced at the investigation supported the charge against the claimant and, since he did not appear at the investigation and had less than one year of service, there is no basis for disturbing the Carrier's decision thereon.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279
Dudley E. Whiting - Chairman
M. A. Christie - Employee Member
L. D. Brown - Carrier Member

St. Louis, Missouri
May 24, 1979
File 247-5481