

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT
OF CLAIM:

Claim of the Committee that:

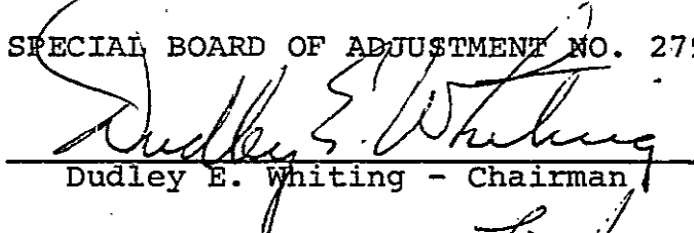
1. Carrier violated the effective Agreement by unfairly dismissing Trackmen C. Chatman and H. L. Smith on March 22, 1978.
2. Claimants Chatman and Smith shall be reinstated with seniority rights, pass privileges, vacation rights unimpaired, as well as their restoration of all other rights and privileges accruing to them, which would have been theirs under the provisions of various agreements if they had not been dismissed from the service of the Carrier March 22, 1978, and be paid for loss of wages suffered from March 22, 1978, claim to run concurrently until Mr. Chatman and Mr. Smith are returned to their jobs.

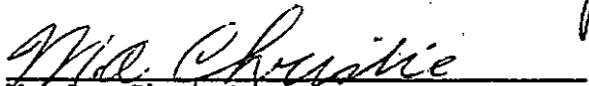
FINDINGS: The testimony adduced at the investigation sustains the charge against the claimants and, while one of them claimed it was necessary to leave work to protect his driver's license, such information was not conveyed to the Foreman before he left.

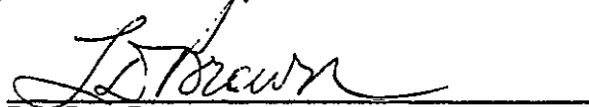
Considering their relatively short service dismissal was not an excessive penalty, so the claim is not sustainable.

AWARD: Claim denied.

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Dudley E. Whiting - Chairman


M. A. Christie
Employee Member


L. D. Brown
Carrier Member

St. Louis, Missouri
November 15, 1979
File 247-5618