

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 when Trackman Willie Brown was unjustly dismissed by notice dated June 22, 1979.
2. Claimant Brown shall be reinstated with 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 services of the Carrier June 22, 1979, and be paid for loss of wages suffered from June 22, 1979, claim to run concurrently until Mr. Brown is returned to his job.

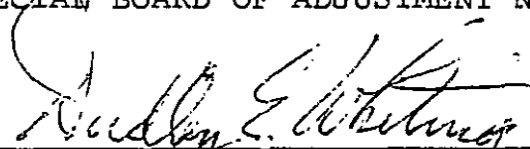
FINDINGS:

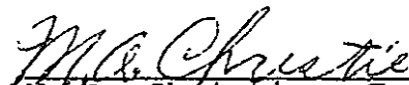
Credible evidence adduced at the investigation supports the charge despite a partial denial of misconduct by the claimant and in view of his prior disciplinary record the penalty of dismissal is not excessive.


AWARD:

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279

  
Dudley E. Whiting - Chairman

  
M. A. Christie - Employee Member

  
L. D. Brown - Carrier Member