

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT
OF CLAIM:

1. Carrier violated the effective Agreement when Trackman D. G. Powell was unjustly dismissed from the service of the Carrier by notice dated July 15, 1980.
2. Claimant shall now be returned to service with seniority, pass and vacation rights unimpaired and compensated for loss of wages suffered from July 15, 1980, until reinstated to service.

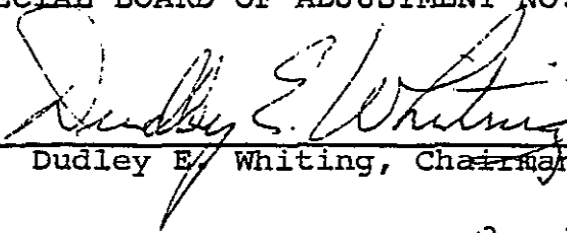
FINDINGS:

Credible evidence was adduced at the hearing to support the charge and claimant's relatively short service and prior discipline record makes the penalty reasonable. The difference in those factors does not require the reinstatement of claimant on the basis that the other trackman involved has been reinstated on a leniency basis.

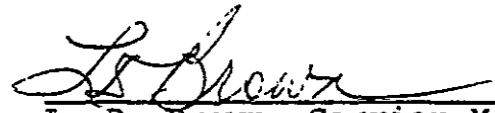
AWARD:

Claim denied.

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Dudley E. Whiting, Chairman


M. A. Christie, Employee Member


L. D. Brown, Carrier Member

New Orleans, Louisiana
November 18, 1981
File 247-6029