

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 276

Case No. 276
File 247-7087

Parties Brotherhood of Maintenance of Way Employees
to and
Dispute Union Pacific Railroad Company

Statement

of Claim: (1) Carrier violated the current working agreement, especially Rule 12, when Trackman C. I. Sanders was dismissed from the service effective August 8, 1985.

(2) Trackman Sanders should now be allowed eight hours pay for each workday, including any holidays and any overtime which would have accrued to him, beginning August 1, 1985 and continuing until reinstated to service with seniority, pass and vacation rights unimpaired.

The Board has jurisdiction of this case.

Claimant Trackman, on July 31, 1985, had five months of service and was working as Trackman under the supervision of an Assistant Foreman near Marshall, Texas. As a result of several incidents occurring, Claimant was notified to attend a formal investigation on the charge:

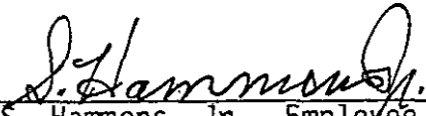
"...that you allegedly failed to comply with the instructions of Assistant Foreman D. L. Lemly, that you absented yourself without proper authority and presented yourself in conduct unbecoming an employee..."

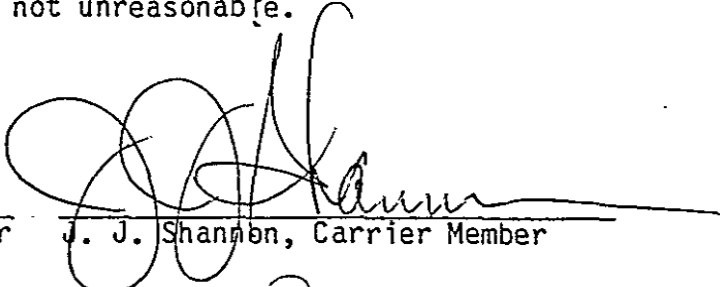
Claimant was accorded due process.

There was sufficient evidence adduced to support Carrier's conclusion.

The discipline imposed was not unreasonable.

Award: Claim denied.


S. Hammons, Jr., Employee Member


J. J. Shannon, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member