

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 358
Case No. 358
File No. 870738

Parties Brotherhood of Maintenance of Way Employees

to and

Dispute: Union Pacific Railroad Company
(Former Missouri Pacific Railroad Company)

**Statement
of
Claim:**

"Carrier violated the Agreement, especially Rule 12, when Trackman Nathan Blanson was assessed a 30 day deferred suspension.

Claim in behalf of Trackman Blanson to remove the 30 day deferred suspension from his personal record."

Findings:

The Board, after hearing upon the whole record and all evidence, finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this

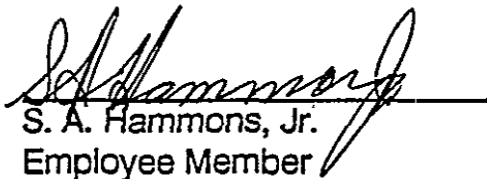
Board is duly constituted by Agreement dated January 5, 1959, that it has jurisdiction of the parties and the subject matter, and that the parties were given due notice of the hearing held.

A review of the record in this case reveals that Claimant Blanson was afforded a fair and impartial hearing; however, the Board does not find compelling evidence on the record that Claimant was any more culpable than Carman McDonald for the mishap which occurred on May 20, 1987.

In light of all the circumstances obtaining, the Board finds that the deferred suspension assessed Claimant should be reduced to a Letter of Reprimand.

Award: Claim sustained, in part, as per findings.

Order: Carrier is directed to make this Award effective within thirty (30) days of date of issuance.


S. A. Hammons, Jr.
Employee Member


D. A. Ring
Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued on the 10th day of March, 1989
at Tampa, Florida