

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 394

Docket No. 394
File 880427

Parties Brotherhood of Maintenance of Way Employees
to and
Dispute Union Pacific Railroad Company
(Former Missouri Pacific)

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12, when Trackman Joseph Hilliard was dismissed from the service.

(2) Claim in behalf of Trackman Hilliard for eight hours each work day, including holidays, beginning April 29, 1988 until reinstated to service with seniority, vacation and all other rights unimpaired.

Findings: The Board has jurisdiction by reason of the parties Agreement establishing this Board for that purpose.

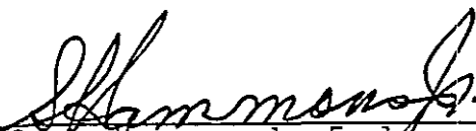
Claimant, following an investigation which was held in absentia, was advised, under date of April 29, that he had been dismissed as discipline for his unauthorized absence from his assignment as Trackman on Gang 1630, from February 26 until March 3, 1988.

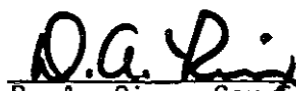
Claimant was accorded the due process to which entitled under his discipline rule.


There was sufficient evidence adduced to support Carrier's conclusion as to Claimant's guilt of the charges placed against him.

In view of his discipline record and the charge, this claim will be denied.

Award: Claim denied.


S. A. Hammons, Jr. Employee Member


D. A. Ring, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member