

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 435

Case No. 435
UP File 890700

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

Statement

of Claim: Claim and appeal on behalf of J. D. Townsend, Welder/
Helper, S.S.#497-66-9880, for eight (8) hours per day at the
straight time rate of pay, any overtime and holiday pay, and
additional expense incurred by Claimant that would normally
be provided by Carrier Health and Welfare benefits, to begin
September 1, 1989, and continue until all charges are
removed from Claimant's personal record and reinstated to
service with all rights unimpaired.

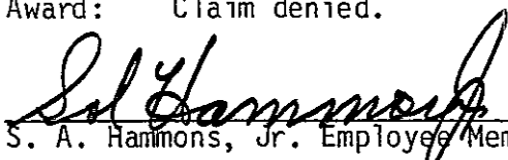
Findings: The Board has jurisdiction by reason of the parties
Agreement establishing this Board therefor.

The Claimant Welder/Helper was withheld from service on
September 1, 1989 pending the holding of a formal
investigation in connection with his involvement in an on
duty altercation on August 31, 1989 at 1:30 PM at Valley
Park, Missouri.

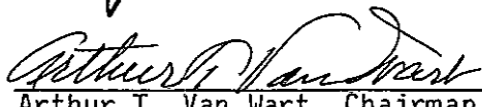
The Claimant and his Supervisor reached an
understanding, confirmed under date of October 5, 1989,
with the understanding that there was to be no compensation
for the time withheld from service and no discipline was to
be assessed. The Claimant was returned to service on
September 21, 1989.

Absent a showing otherwise, Claimant was handled in
accordance with an understanding reached. Therefore, 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