

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 457

Case No. 457
UP File 890022

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

Statement

of Claim: Claim on behalf of Work Equipment Mechanic Larry W.,
Botner, SSN 437-94-5596, for eight (8) hours each work day,
including any overtime and holidays, that would have accrued
to him had he not been dismissed. Claim beginning September
12, 1989 and continuing until he has been reinstated with
seniority, vacation and all other rights unimpaired.

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

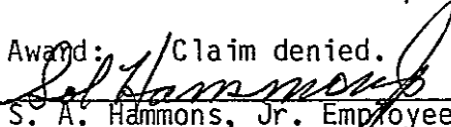
Claimant Trackman, following a formal investigation
held at Sosa Depot, San Antonio, Texas, on September 20,
1989, on the charge of allegedly falsifying motel receipts
on six specified dates in July and two days in August and
for falsification of meal receipts on three specified dates
in July and five specified dates in August, was found
culpable and discharged from service as discipline therefor.

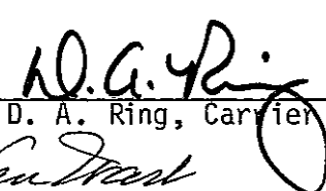
Claimant was accorded the due process to which entitled
under Rule 12 - Discipline.


There was sufficient evidence adduced, including the
admissions of Claimant that he had in fact turned in
receipts which did not accurately reflect his expenses, to
support Carrier's conclusion as to Claimant's culpability.
The evidence included showing that they were not normal
receipts, that they were not valid or proper receipts, that
they were altered dates and discrepancies such as multiple
meals purchased within minutes of each other.

The discipline in view of this record 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