

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 466

Case No. 466
UP File 900137

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

Statement

of Claim: Claim on Trackman C. L. McKinnon, SSN 460-86-1713,
for eight (8) hours each work day, including overtime and
holidays, that would have accrued to him had he not been
assessed fifteen (15) days suspension from November 21-
December 5, 1989 and that this discipline be removed from
his personnel record.

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

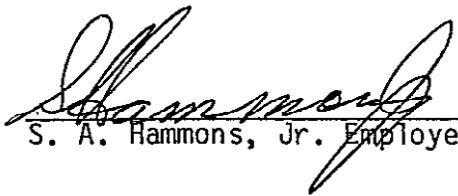
The Claimant, following a formal investigation held at
the B&B Maintenance Office, San Antonio, Texas, on November
16, 1988, on the charge of his allegedly failing to protect
his assignment as Trackman on Gang 2840 on October 24, 25,
26, 30, and 31, 1989 and also on November 7, 8, and 13, 1989
and a review of his past work record was concluded to be
culpable and Carrier assessed a fifteen (15) day suspension
as discipline therefor.

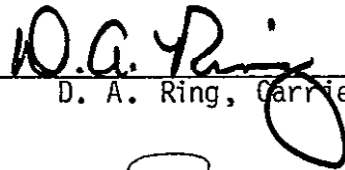
Claimant was accorded the due process to which
entitled.

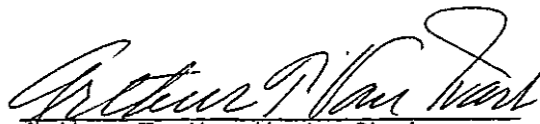
There was sufficient evidence adduced to support
Carrier's conclusion as to Claimant's guilt. Despite the
rationale advanced by the Claimant as to family problems
they do not serve to relieve him of his responsibility to
properly notify either his foreman or supervisor of his
absence or of his desire to get authorization to be off. If
reliance was put on another employee to relay information to
his Foreman such method made it totally improper and
inconsistent with the rule.

The discipline is reasonable. 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

Issued December 19, 1990.