

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 515

Docket No. 515
File 910024

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

Statement of Claim: (1) Carrier violated the Agreement, especially Rule 12, when Trackman N. G. Minor was dismissed on October 4, 1990.
(2) Claim on behalf of Mr. Minor for wage loss suffered, until reinstated with seniority, vacation and all other rights unimpaired.

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

The Claimant, Trackman N. G. Minor, following a formal investigation, ultimately held on October 1, 1990, on the charge:

"Your alleged conduct unbecoming an employee when you were dishonest in cashing both the original and the requested duplicate payroll voucher for wages earned during the first half of June, 1990."

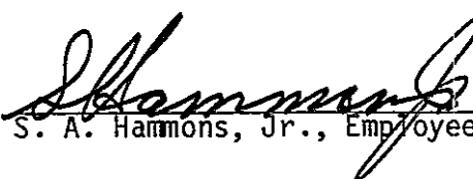
Carrier concluded Claimant to be culpable and he was dismissed from service as discipline therefor.

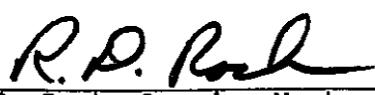
Claimant was accorded the due process to which entitled under his discipline Rule 12.

There was sufficient evidence adduced, including the admissions of Claimant, to support Carrier's conclusion of culpability. The Claimant admitted that he had requested duplicate payroll checks for the last half of May and the first half of June and that he then cashed both the original check as well as the duplicate of same.

The discipline of dismissal in cases of proven dishonesty is consistent with the normal application of proven cases of dishonesty. In the circumstances, the discipline is not deemed unreasonable. This claim will be denied.

Award: Claim denied.


S. A. Hammons, Jr., Employee Member


R. O. Rock, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

Issued March 24, 1992.