

SPECIAL BOARD OF ADJUSTMENT NO. 279

Award No. 573

Case No. 573

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

Statement

of Claim: (1) Carrier violated the Agreement, especially Rule 12,  
when J. E. Martinez was assessed a 5 days actual  
suspension.

(2) Claim in behalf of Mr. Martinez for wage loss suffered  
October 21 - 25, 1991.

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

The Claimant Trackman was notified to attend a formal  
investigation to be held on October 8, 1991, on the charge:

"You failed to properly protect your job assignment of  
Trackman, Gang 2821, on Friday, October 4, 1991, and that  
you failed to obtain permission to be absent this date.  
This investigation will include a review of your work  
record."

The Carrier concluded therefrom that the Claimant was  
culpable in that he failed to obtain authority to be absent.  
A five days actual suspension was imposed as discipline  
thereof.

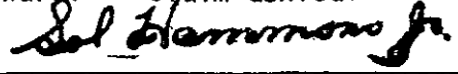
The Board finds that the Claimant was accorded the due  
process to which entitled.


There was sufficient evidence adduced to support the  
conclusions of the Carrier.


The discipline assessed in light of the offense is not  
deemed unreasonable.

This claim will be denied.

Award: Claim denied.

  
S. A. Hammons, Jr., Employee Member

  
Kathy Alexander, Carrier Member

  
Arthur T. Van Wart, Chairman  
and Neutral Member