

SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES) BROTHEROOD OF MAINTENANCE OF WAY EMPLOYES
TO)
DISPUTE) ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

STATEMENT OF CLAIM:

"Claim in favor of Mr. L. E. Childers' reinstatement to service with all rights unimpaired and paid for all lost wages beginning October 12, 1983 and continuous thereafter."
(SSW-D-1129-Childers; 53-697)

FINDINGS:

The Board, after hearing upon the whole record and all the evidence, finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended; this Board has jurisdiction over the dispute involved herein; and, the parties were given due notice of hearing thereon.

Following a hearing on the above claim, but before preparation of its decision, the Board was advised by the Carrier that Claimant had executed a "general release" relative to disposition of another matter in dispute with the Carrier. This release, among other things, stipulated:

"It is specifically understood and agreed that there is pending before Special Board of Adjustment No. 280 between the Brotherhood of Maintenance of Way Employes and St. Louis Southwestern Railway Company, Case No. 284, Docket No. SSW-D-1129-Childers, a dispute involving the undersigned's discharge by Railway Company. As part of the consideration of the sum so paid to me, I release, disclaim, withdraw and forever discharge the Railway Company from any and all liability in connection with the pending dispute described above. I further authorize Railway Company to inform the Referee before whom this dispute is pending that the matter involved in that dispute has been settled and resolved. Should an opinion be issued by the Referee making any kind of award to the undersigned, I further agree to satisfy said award and release Railway Company from any liability under such an award, without the payment of any further consideration other than that reflected in this release."

In the light of the above general release, and with the joint

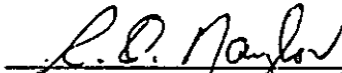
concurrence of the Parties to Dispute, the claim here before this Board will be dismissed.

AWARD:

Claim dismissed.



Robert E. Peterson, Chairman
and Neutral Member



R. O. Naylor
Carrier Member



M. A. Christie
Organization Member

Houston, TX
February 5, 1986