

NATIONAL MEDIATION BOARD
PUBLIC LAW BOARD NO. 7167

Parties to Dispute:

UNITED TRANSPORTATION UNION

-and-

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY CORPORATION

OPINION & AWARD

Case No. 1

Claimant T. F. Balder

EMPLOYEE'S STATEMENT OF CLAIM:

"Claim in behalf of Minot, ND, Brakeman T. F. Balder for complete record clearance and pay lost earnings for attending investigation account Level S, thirty (30) day deferred suspension for three (3) year probation for alleged violation of GCOR Rule 8.11 (failed to properly line switch back for siding) on January 31, 2002."


FINDINGS

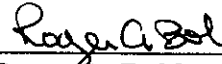
The Board finds that the parties herein are Carrier and Employee as defined by the Railway Labor Act, as amended; that the Board has jurisdiction over this dispute; and that due notice of the hearing thereon has been given to the parties.


Upon careful review of the record, the Board respectfully denies the claim.

A W A R D

The Claim is denied.


James E. Conway
Chairman and Neutral Member


Roger A. Boldra
Carrier Member


J. D. Fitzgerald
Employee Member

Dated: August 28, 2008
Great Falls, VA