

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. 2

Claimant P. A. Bauer

EMPLOYEE'S STATEMENT OF CLAIM:

"Claim in behalf of Glasgow, MT Brakeman P. A. Bauer for pay for all time lost, including one (1) day for attending investigation, and complete record clearance of the entire incident, including one (1) year probation, account ten (10) day record suspension for alleged violation of GCOR Rule 8.2 (alleged run through mainline switch and derailment of two (2) locomotives) and subsequent Level S thirty (30) day record suspension for alleged violation of GCOR Rule 1.13 (alleged failure to comply with instructions) on November 28, 2000."


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 29, 2008
Great Falls, VA