

NATIONAL MEDIATION BOARD  
PUBLIC LAW BOARD NO. 7167

Parties to Dispute:	)	
	)	
UNITED TRANSPORTATION UNION	)	<u>OPINION &amp; AWARD</u>
	)	
-and-	)	Case No. 3
	)	
THE BURLINGTON NORTHERN AND	)	Claimant T. T. Carrigan
SANTA FE RAILWAY CORPORATION	)	
	)	

EMPLOYEE'S STATEMENT OF CLAIM:

"Claim in behalf of Seattle, WA Conductor T. T. Carrigan for pay for all time lost, including investigation, and complete record clearance account thirty (30) day record suspension for alleged violation of Air Brake and Train Handling Rule 103.8.4 Emergency Brake Application – Report to Train Dispatcher and GCOR Rules 6.23 Emergency Stop or Severe Slack Action and GCOR Rule 1.6 Conduct (alleged failure to transmit via radio the approach signal in advance of control point Nelson Bennett, to report your emergency brake application to the train dispatcher and Road Foreman, and to properly protect reverse movement while operating on the Seattle Subdivision at approximately 1618 hours) on December 27, 2004."

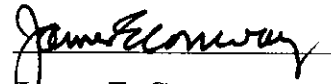
FINDINGS

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 sustains the claim.

A W A R D

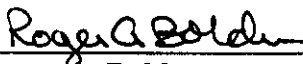
The Claim is sustained.

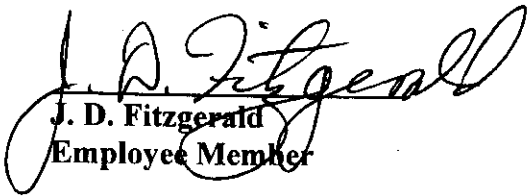


James E. Conway  
Chairman and Neutral Member

**OPINION & AWARD**

**Public Law Board 7167 – Case No. 3**

  
\_\_\_\_\_  
**Roger A. Boldra**  
**Carrier Member**

  
\_\_\_\_\_  
**J. D. Fitzgerald**  
**Employee Member**

**Dated: August 28, 2008**  
**Great Falls, VA**