

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. 5

Claimant R. D. Fisher

EMPLOYEE'S STATEMENT OF CLAIM:

"Claim in behalf of Seattle, WA Conductor R. D. Fisher for all time lost, including investigation and complete record clearance account thirty (30) day suspension, May 21, 2002 through June 19, 2002, and 36 month review period for alleged violation of GCOR Rules, 1.1, 1.1.1, 1.1.2, 6.28, 7.1 and 7.10 (alleged failure to switch in a safe manner resulting in personal injury) on April 14, 2002."

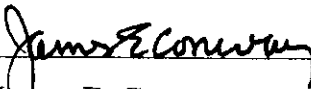
FINDINGS


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.

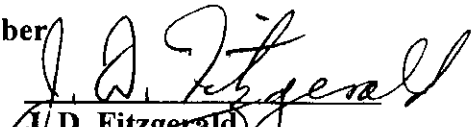
Upon careful review of the record, the Board respectfully denies the claim.

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 29, 2008
Great Falls, VA