

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. 7

Claimant M. D. Icenbice

EMPLOYEE'S STATEMENT OF CLAIM:

"Claim in behalf of Klamath Falls, OR conductor M. D. Icenbice for pay for all time lost and complete record clearance of the entire incident account Level S, 30 days suspension...for alleged violation of GCOR Rules 1.47, 6.14 and 6.27 (alleged failure to control the train while entering restricted limits, Bend, OR)."

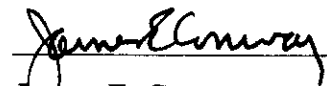
FINDINGS

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

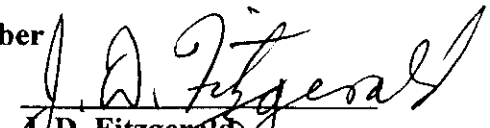
The Claim is denied.



James E. Conway
Chairman and Neutral Member



Roger A. Boldra
Carrier Member



J. D. Fitzgerald
Employee Member

Dated: August 30, 2008
Great Falls, VA