NATIONAL MEDIATION BOARD
PUBLIC LAW BOARD NO. 7167

Parties to Dispute:	)	
UNITED TRANSPORTATION UNION	)	**OPINION & AWARD**
-and-	)	**Case No. 23**
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY CORPORATION	)	**Claimant S. W. Dove**

EMPLOYEE'S STATEMENT OF CLAIM:

"This will present appeal and claim in behalf of Vancouver, WA Conductor S. W. Dove for pay for time lost and complete record clearance account 20 day record suspension for alleged violation of GCOR Rules 1.1.3 and 1.13 (alleged failure to perform service as a full time employee in accordance with the BNSF attendance guidelines. Specifically, his absence of 8.0 weekdays and 1.0 weekend day during the months of October, November and December, 2006.)"

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.

AWARD

The Claim is denied.

James E. Conway
Chairman and Neutral Member

Roger A. Boldra
Carrier Member

J. L. Schollmeyer
Employee Member

Dated: June 27, 2009
Great Falls, VA