

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. 29

Claimant J. H. Pebles

EMPLOYEE'S STATEMENT OF CLAIM:

"This will present appeal and claim in behalf of Seattle, WA Conductor J. H. Pebles for complete record clearance and pay for all time lost, including investigation account formal reprimand and one (1) year probation for alleged violation of GCOR 1.3.3 Circulars, Instructions, and Notices, specifically General Notice 338, BNSF Guidelines for TY&E Employee Attendance (failure to perform service as a full time employee during January, February and March, 2005).

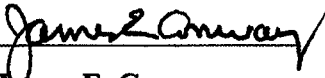
FINDINGS

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


Roger A. Boldra
Carrier Member


J. L. Schollmeyer
Employee Member

Dated: July 1, 2009
Great Falls, VA