

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. 31

Claimant A. Saavedra

EMPLOYEE'S STATEMENT OF CLAIM:

"Claim and appeal in behalf of Switchman A. Saavedra for pay for all time lost and complete record clearance account ten (10) day record suspension for alleged violation of GCOR Rule 7.1 and 7.7 (alleged involvement in derailment and subsequent damage to cars due to bypassed couplers while switching track 132 at Denver terminal on April 2, 2005.)"

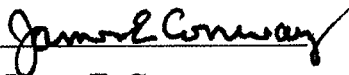
FINDINGS

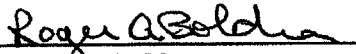
The Board finds that the parties herein are Carrier and Employee as defined by the Railway Labor Act, as amended; that the Board has jurisdiction over this dispute; and that due notice of the hearing thereon has been given to the parties.

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: June 25, 2009
Great Falls, VA