

NATIONAL MEDIATION BOARD  
PUBLIC LAW BOARD NO. 7167

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Parties to Dispute:	)	
	)	
UNITED TRANSPORTATION UNION	)	<u>OPINION &amp; AWARD</u>
	)	
-and-	)	Case No. 32
	)	
THE BURLINGTON NORTHERN AND	)	Claimant T. A. Toney
SANTA FE RAILWAY CORPORATION	)	
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EMPLOYEE'S STATEMENT OF CLAIM:

"This will present appeal and claim in behalf of Vancouver, WA Conductor T. A. Toney for complete record clearance and payment for any and all time lost account ten (10) day record suspension for alleged violation of GCOR Rule 1.13 (alleged failure to perform service as a full time employee in accordance with the BNSF attendance guidelines, specifically absence of 10 week days and 8.0 weekend days during the month of June, July and August, 2006)."

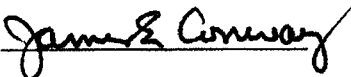
FINDINGS

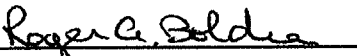
The Board finds that the parties herein are Carrier and Employee as defined by the Railway Labor Act, as amended; that the Board has jurisdiction over this dispute; and that due notice of the hearing thereon has been given to the parties.

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

A W A R D

The Claim is denied.

  
James E. Conway  
Chairman and Neutral Member

  
Roger A. Boldra  
Carrier Member

  
J. L. Schollmeyer  
Employee Member

Dated: July 5, 2009  
Great Falls, VA