

NATIONAL MEDIATION BOARD
PUBLIC LAW BOARD NO. 7167

Parties to Dispute:)	
)	
UNITED TRANSPORTATION UNION)	<u>OPINION & AWARD</u>
)	
-and-)	Case No. 33
)	
THE BURLINGTON NORTHERN AND)	Claimant T. A. Toney
SANTA FE RAILWAY CORPORATION)	

EMPLOYEE'S STATEMENT OF CLAIM:

"This will present appeal and claim in behalf of Vancouver, WA Conductor Trudy A. Toney for pay for all time lost, including investigation and complete record clearance account twenty (20) day record suspension for alleged violation of GCOR Rules 1.3.3 and 1.13 (alleged failure to perform service as a full time employee in accordance with the BNSF attendance guidelines, specifically absence of 16 week days and 11.0 weekend days during the month of August, September and October, 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 6, 2009