

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. 35

Claimant D. C. Andersen

EMPLOYEE'S STATEMENT OF CLAIM:

"This will present appeal and claim in behalf of Seattle, WA Conductor D. C. Andersen for pay for all time lost, including investigation, and complete record clearance account ten (10) day record suspension and one (1) year probation for alleged violation of GCOR 1.3.3 Circulars, Instructions and Notices, specifically General Notice No. 363 Layoff Policy (alleged layoff on call) on March 26, 2005."

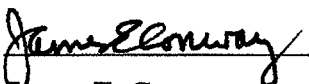
FINDINGS


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 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: June 20, 2009
Great Falls, VA