

AWARD NO. 356  
Case No. 356

Organization File No. D171-329-15C  
Carrier File No. 5115-0211

**PUBLIC LAW BOARD NO. 7331**

PARTIES ) SMART - TRANSPORTATION DIVISION  
)  
TO )  
)  
DISPUTE ) BNSF RAILWAY COMPANY

STATEMENT OF CLAIM:

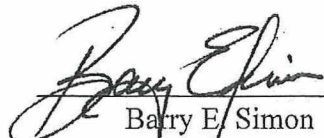
Claim for the denial of the discipline of Illinois-Wisconsin Seniority District (Aurora) Conductor R. J. Phillipp and our request for removal of censure from his personal record and pay for all time lost (formal reprimand) as the result of an investigation held June 25, 2015.

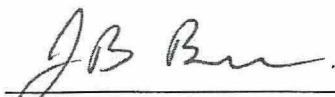
FINDINGS:


The Board, upon consideration of the entire record and all of the evidence, finds that the parties are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated July 1, 2009, this Board has jurisdiction over the dispute involved herein, and that the parties were given due notice of the hearing held.

The Board has reviewed the record before it and finds there is substantial evidence to support the Carrier's charge against Claimant. We find, however, that the discipline imposed has served its purpose and we direct that it be removed from Claimant's record without pay for time lost.

AWARD: Claim sustained in accordance with above Findings.

  
Barry E. Simon  
Chairman and Neutral Member

  
J. B. Brown  
Employee Member

  
A. N. Smith  
Carrier Member

Dated: 12/11/2017  
Arlington Heights, Illinois