

AWARD NO. 378
Case No. 378

Organization File No. D305-049-16Y
Carrier File No. 5116-0042

PUBLIC LAW BOARD NO. 7331

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

STATEMENT OF CLAIM:

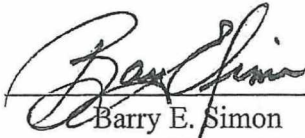
Claim of the Alternative Handling denial for Nebraska Seniority District (Lincoln) Switchman M. A. Neal and our request for removal of censure from his personal record and pay for all time lost (level S 30-day record suspension) as the result of an investigation held October 27, 2015.

FINDINGS:

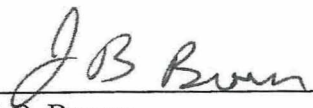
The Board, upon consideration of the entire record and all of the evidence, finds that the parties are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated July 1, 2009, this Board has jurisdiction over the dispute involved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


AWARD: Claim denied.



Barry E. Simon
Chairman and Neutral Member



J. B. Brown
Employee Member



A. N. Smith
Carrier Member

Dated: 12/11/2017
Arlington Heights, Illinois