

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

and

ILLINOIS CENTRAL RAILROAD

PUBLIC LAW BOARD No. 4331: CASE No. 14

STATEMENT OF THE CLAIM

L. Bond was improperly dismissed.

OPINION OF THE BOARD

The Claimant, Mr. Lamont Bond, sustained an injury on September 30, 1987. Subsequently, Mr. Bond was dismissed from employment with the Carrier for being accident prone.

The record of this case indicates that during the period November 5, 1974 to September 30, 1987, Mr. Bond sustained fourteen (14) injuries. During this same time period, a group of 210 track department employees sustained an average of 2.44 injuries per employee. Notwithstanding differences in type of work performed, nature of injuries and time lost from work among the employees, Mr. Bond's accident record is significantly higher than the average.

Mr. Bond attended a remedial safety training class and therefore knew or should have known the importance of safe work practices. There is substantial evidence from which to conclude that Mr. Bond is accident prone.


We find no basis in the record to grant leniency in the application of discipline.

AWARD

Claim denied.



Ronald L. Miller
Chairman and Neutral Member



J.S. Gibbins
Carrier Member



D.B. Bartholomay
Organization Member

21 June 1988
Date