

PUBLIC LAW BOARD No. 4331: CASE No. 3
Award No. 3

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

v.

ILLINOIS CENTRAL GULF

STATEMENT OF CLAIM

J. R. Schroeder was improperly dismissed. Claim for reinstatement and pay for time lost.

FINDINGS

Company Exhibit A compares Mr. Schroeder's injury record to that of the Track Department:

NORTHERN REGION 4-14-74 to 7-21-86

(3) Employees	9 Injuries
(5) Employees	8 Injuries
(6) Employees	7 Injuries
(14) Employees	6 Injuries
(13) Employees	5 Injuries
(23) Employees	4 Injuries
(31) Employees	3 Injuries
(36) Employees	2 Injuries
(60) Employees	1 Injury
(60) Employees	0 Injuries

251 Employees 575 Injuries

Average number injuries/employees $\frac{575}{251} = 2.29$

Schroeder average number injuries/employee $\frac{15}{1} = 15$

Notwithstanding Mr. Schroeder's explanations for certain of his injuries, his injury record was substantially worse than the average for the department.

It should be noted, however, that following Mr. Schroeder's completion of a remedial safety training course, his safety record improved. Mr. Schroeder should be given an opportunity to show that he can take responsibility for his safety, learn from his mistakes, and work safely.

AWARD

Mr. Schroeder is to be reinstated to employment without back pay.

R. L. Miller

Ronald L. Miller
Chairman and Neutral Member

J. S. Gibbins

J. S. Gibbins
Carrier Member

Donald D. Bartholomay

Donald D. Bartholomay
Organization Member

28 September 1987

DATE