

PUBLIC LAW BOARD No. 4331: CASE No. 7
Award No. 7

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

v.

ILLINOIS CENTRAL GULF

STATEMENT OF CLAIM

L. E. Williams was improperly dismissed. Claim for reinstatement and pay for time lost.

FINDINGS

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

NORTHERN REGION 9-28-70 to 10-21-86

(2) Employees	11 Injuries
(2) Employees	10 Injuries
(2) Employees	9 Injuries
(6) Employees	8 Injuries
(3) Employees	7 Injuries
(7) Employees	6 Injuries
(10) Employees	5 Injuries
(7) Employees	4 Injuries
(20) Employees	3 Injuries
(28) Employees	2 Injuries
(34) Employees	1 Injury
(38) Employees	0 Injuries

159 Employees 399 Injuries

Average number injuries/employees $\frac{399}{159} = 2.50$

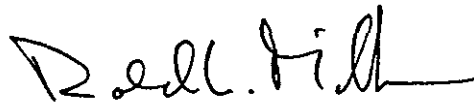
Williams average number injuries/employee $\frac{14}{1} = 14$

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

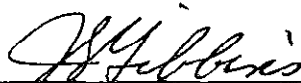
Mr. Williams' injury record has not improved in spite of his attendance at safety classes and after numerous warnings. Given the number of Mr. Williams' injuries and the absence of improvement following safety instruction, the Carrier has reasonably concluded that Mr. Williams would continue to incur an unacceptable injury record.

AWARD


Claim denied.



Ronald L. Miller
Chairman and Neutral Member



J. S. Gibbins
Carrier Member



Donald D. Bartholomay
Organization Member

28 September 1987

DATE