

PARTIES TO DISPUTE:

Brotherhood of Locomotive Engineers

-and-

Illinois Central Railroad

AWARD NO. 5  
CASE NO. 5

STATEMENT OF CLAIM:

Claim on behalf of Engineer P. W. Brooks  
for removal of discipline from personal  
work record and compensation for all time  
lost.

FINDINGS:

By letter dated April 24, 1992, the Claimant, Mr. P. W. Brooks,  
was notified that he had been dismissed from service as follows:

Refer to notice of investigation  
dated April 16, 1992 advising you to  
attend a formal investigation to be held  
Thursday, April 23, 1992 to determine  
whether or not you waited the required  
time before crossing from the North Main  
Track to the South Main Track at  
Hollywood Yard, Memphis, about 11:50 PM,  
April 15, 1992 while you were working as  
Engineer on MECH 15.

It was developed at this investiga-  
tion that you were in violation of General  
Rule A and Operating Department Rule 513  
and for your violation of these rules, you  
are hereby dismissed from the service of  
the Illinois Central Railroad.

You should arrange to turn in any  
company property you may have in your pos-  
session, including your AMTRAK pass.

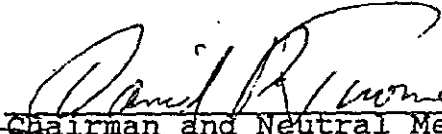
s/W. D. Hall  
Trainmaster

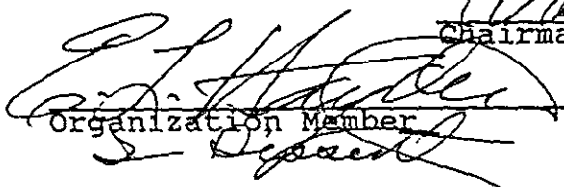
After full consideration of the entire record, the testimony of Mr. Sheridan, the quality of Mr. Brooks' past personal work record, and the discipline imposed on the Conductor, Mr. M. D. Wyrick, we conclude that any discipline beyond a ten day actual suspension was excessive. Moreover, this Board is cognizant of the FRA that the FRA Locomotive Engineer Review Board disapproved the Carrier's decision to revoke Mr. Brooks' certification. Mr. Brooks' discipline shall be reduced to a 10 day suspension. He shall be paid for all time lost subsequent to the ten day suspension until returned to service after August 18, 1992.


AWARD

As per Findings.

ORDER: The Carrier is required to comply with this award within thirty days.

  
Chairman and Neutral Member

  
Organization Member

  
Carrier Member

DATED: 2-8-95