

PUBLIC LAW BOARD 6170
AWARD NO. 50

Parties to Dispute:

Union Pacific Railroad Company

and

Brotherhood of Locomotive Engineers

Statement of Claim

Removal of Level 2 discipline and pay for all time lost associated with the discipline issued to Engineer J.E. Gurgevich in reference to a charge of failure to make a proper brake test.

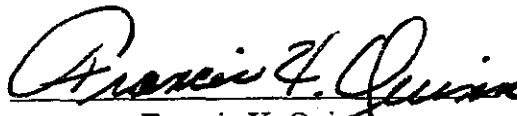
Findings

A flagrant procedural violation deprived Claimant of a fair and impartial investigation. Claimant was not properly notified of a hearing. Hearing was held in absentia. See PLB 4879,

Award 1.

Award

Claim sustained.



Francis X. Quinn
Chair and Neutral Member



Don Hahs
Organization Member

Dissent

Terry Stone
Carrier Member

Date Jan. 19, 2000
Ft. Worth, Texas