

BEFORE PUBLIC LAW BOARD NO. 6043

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION
IBT RAIL CONFERENCE
and
ILLINOIS CENTRAL RAILROAD COMPANY**

Case No. 217

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

1. The discipline (deferred suspension) imposed upon Mr. N. Porter for violation of multiple carrier rules in connection with allegations Mr. Porter's assigned machine collided with a vehicle on a public grade crossing on September 2, 2014 was on the basis of unproven charges, arbitrary, excessive and in violation of the Agreement (System File C141003/IC-BMWED-2014-00224 ICE).
2. As a consequence of the violation referred to in Part 1 above, Claimant N. Porter shall have his record cleared of the charges leveled against him."

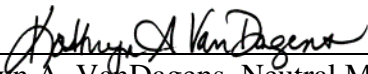
FINDINGS:

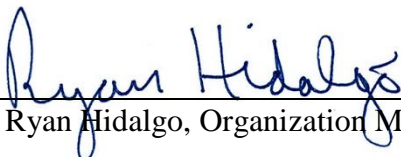
The carrier or carriers and the employee or employees involved in this dispute are respectively carrier or employee within the meaning of the Railway Labor Act as approved June 21, 1934. Public Law Board 6043 has jurisdiction over the parties and the dispute involved herein.

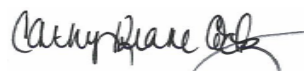
At hearing before the Board the parties jointly advised that this claim has been settled on the property and requested an Award showing it was dismissed.

AWARD

The claim is dismissed.


Kathryn A. VanDagens, Neutral Member


Ryan Hidalgo, Organization Member


Cathy Cortez, Carrier Member

Dated: May 1, 2019

Dated: _____