

**BEFORE PUBLIC LAW BOARD NO. 6043**

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

**Case No. 252**

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

1. The discipline (suspension) imposed upon Mr. M. Mitok for violation of carrier rules in connection with allegations Mr. Mitok was involved in an incident that occurred resulting in a personal injury on October 25, 2012 was on the basis of unproven charges, arbitrary, excessive and in violation of the Agreement (System File A1713/IC-BMWED-2013-00005 ICE).
2. As a consequence of the violation referred to in Part 1 above, Claimant M. Mitok shall have his record cleared of the charges leveled against him and shall be compensated for all wage loss suffered."

**FINDINGS:**

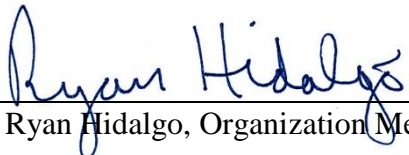
The carrier or carriers and the employee or employees involved in this dispute are respectively carrier or employee within the meaning of the Railway Labor Act as approved June 21, 1934. Public Law Board 6043 has jurisdiction over the parties and the dispute involved herein.


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: \_\_\_\_\_