

PUBLIC LAW BOARD 6170
AWARD NO. 47

Parties to Dispute: Union Pacific Railroad Company
and
Brotherhood of Locomotive Engineers

Statement of Claim

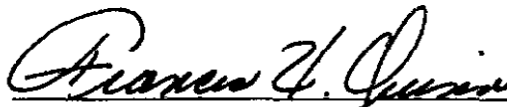
Removal of Level 4 discipline and pay for all time lost associated with the discipline issued to Engineer R.J. Allen in reference to a charge violating Rules 6.28 and 6.31 of the General Code of Operating Rules.

Findings

Finding Claimant guilty of offenses not outlined in the investigation notice is unacceptable under the canons of due process. Rookie mistakes, improperly lined targets, compounded by a faulty investigation, further deprived Claimant of due process.

Award

Claim sustained.



Francis X. Quinn
Chair and Neutral Member



Don Hahs
Organization Member



Terry Stone
Carrier Member

Date Jan. 19, 2002
Ft. Worth, Texas