

PUBLIC LAW BOARD NO. 7887

Brotherhood of Maintenance
of Way Employees Division - IBT

and

CSX Transportation, Inc.

Award No: 7

Claimant: C. D. McDonald


File: D605717/17-83643-ENG-BMWEAL

The Board finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that this Board is duly constituted by agreement of the parties (PLB Agreement) and that the Board has jurisdiction over the dispute.

By letter dated December 6, 2017, the Carrier informed Claimant C.D. McDonald to be in violation of CSX Transportation Operating Rule 701.2 and assessed discipline in the form of 15 days actual suspension. Thereafter Claimant C.D. McDonald elected to handle the discipline via an expedited disciplinary handling process and the matter was forwarded to this Board for final adjudication per the terms of the PLB Agreement. The Board has reviewed the record and now issues the following decision, which is non-precedential in nature.

Award

Claim is sustained. The Carrier failed to meet its burden of proving with substantial evidence that Claimant violated Rule 701.2. The Carrier shall afford Claimant the full remedy contained in Rule 25, Section 4.


Kathryn A. VanDagens
Neutral Member
Dated: March 15, 2019