

PUBLIC LAW BOARD NO. 5559

PARTIES TO DISPUTE:

Brotherhood of Locomotive Engineers

-and-

Illinois Central Railroad

AWARD NO. 5

CASE NO. 5

STATEMENT OF CLAIM:

Claim on behalf of Engineer P. W. Brooks
for removal of discipline from personal
work record and compensation for all time
lost.

FINDINGS:

By letter dated April 24, 1992, the claimant, Mr. P. W. Brooks,
was notified that he had been dismissed from service as follows:

Refer to notice of investigation
dated April 16, 1992 advising you to
attend a formal investigation to be held
Thursday, April 23, 1992 to determine
whether or not you waited the required
time before crossing from the North Main
Track to the South Main Track at
Hollywood Yard, Memphis, about 11:50 PM,
April 15, 1992 while you were working as
Engineer on MECH 15.

It was developed at this investiga-
tion that you were in violation of General
Rule A and Operating Department Rule 513
and for your violation of these rules, you
are hereby dismissed from the service of
the Illinois Central Railroad.

You should arrange to turn in any
company property you may have in your pos-
session, including your AMTRAK pass.



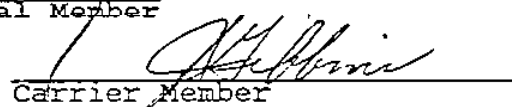
S/W. D. Hall
Trainmaster

After full consideration of the entire record, the testimony of Mr. Sheridan, the quality of Mr. Brooks' past personal work record, and the discipline imposed on the Conductor, Mr. M. D. Wyrick, we conclude that any discipline beyond a ten day actual suspension was excessive. Moreover, this Board is cognizant of the FRA that the FRA Locomotive Engineer Review Board disapproved the Carrier's decision to revoke Mr. Brooks' certification. Mr. Brooks' discipline shall be reduced to a 10 day suspension. He shall be paid for all time lost subsequent to the ten day suspension until returned to service after August 18, 1992.

AWARD

As per Findings.

ORDER: The Carrier is required to comply with this award within thirty days.

 Organization Member	 Chairman and Neutral Member	 Carrier Member
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DATED: 2-8-95