

Organization File: T.R.Mayfield
CSXT File No.: 103226

PUBLIC LAW BOARD NO. 6468

PARTIES TO DISPUTE:

BROTHERHOOD OF LOCOMOTIVE ENGINEERS))	
AND TRAINMEN)	
)	NMB CASE NO. 197
VS)	AWARD NO. 197
)	
CSX TRANSPORTATION, INC.)	

STATEMENT OF CLAIM:

It is requested that all mention of this investigation be removed from Engineer Mayfield's record and he be paid for all time lost since his suspension on June 12, 2006.

FINDINGS AND OPINION

The Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as amended. This Board has jurisdiction of the dispute here involved.

Claimant was summoned to a formal investigation on a charge that he failed to clear himself from the area of fumes or fire quickly and safely when any fumes in the cab area or when any fires occur anywhere on a locomotive resulting in a FRA Reportable Personal Injury. Following the investigation Carrier found claimant guilty of the charge and assessed a 15 day actual suspension from service as discipline.

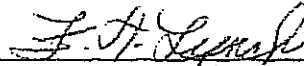
This Board has had the opportunity to review the transcript of investigation, together with all other documents submitted by the parties, and it is our finding that Carrier has failed in its burden to produce substantial evidence to justify its decision that claimant was guilty of the charge. Under the circumstances, the claim must be sustained and all references to the incident must be removed from claimant's record.

Award No. 197

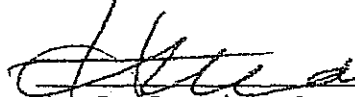
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AWARD

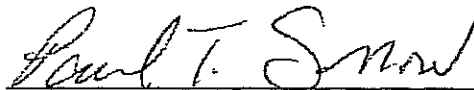
Claim sustained. Carrier is instructed to comply with this Award within thirty days of the date hereof.



F. T. Lynch, Neutral Chairman



H. J. Garcia, Carrier Member



Paul T. Sorrow, Employee Member

Award date

07/10/07