

PUBLIC LAW BOARD 6170
AWARD NO. 63

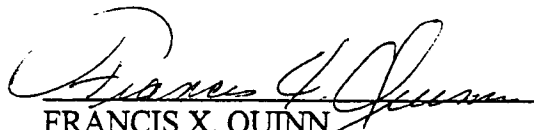
Parties to Dispute: Union Pacific Railroad Company
and
Brotherhood of Locomotive Engineers

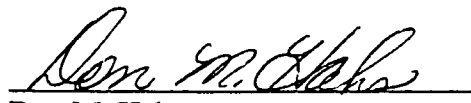
Statement of Claim: Claim of C.R. Hinton for removal of Level 5, permanent dismissal, and
pay for lost wages.


Findings: There is some question whether efficiency test - red light was placed in a visible
line to be seen from Claimant's train. The record indicates he failed to stop and
did not observe a red light at the end of the tie. See First Division Award 24877.
This Board is persuaded that the train crew did not knowingly run past the red
light and serious questions exist concerning the functionality of the test.

We will return the Claimant to duty but without back pay.

Award: Claim sustained in part.


FRANCIS X. QUINN
Chair and Neutral Member


Don M. Hahs
Organization Member


TERRY M. STONE
Carrier Member

Date Sept 26, 2000
Omaha, Nebraska