

RULE 84. DISCIPLINE PROCEDURE. (a)

Investigations. No employe will be disciplined or dismissed without a fair hearing. Suspension in proper cases pending hearing will not be considered a violation of this principle. Hearings will be held as promptly as possible and within five days from the date charges are preferred and decision rendered within ten days of completion thereof.

At a reasonable time prior to the hearing, the employe will be advised of the charge against him. An employe may be represented by an employe of his choice or his duly elected Union representative, and the accused and his representative shall be permitted to hear the testimony of and interrogate all witnesses.

A copy of the transcript of the investigation will be furnished to the interested Local Chairman upon his request in cases where discipline has been assessed.

An employe failing to appear at a hearing, after having been properly notified in writing, and who makes no effort to secure a postponement, will automatically terminate his services and seniority rights.

(b) Appeals. (1) Appeal from the decision must be filed with the Superintendent in writing within thirty days from date thereof. Final decision of Superintendent on appeal consideration must be made within thirty days from date of appeal. If it is found the employe has been unjustly suspended or dismissed from the service such employe shall be reinstated with seniority rights unimpaired and compensated for wage loss, if any, resulting from such suspension or dismissal.

(2) An employe dissatisfied with decision of Superintendent may appeal to the General Manager.

Appeal must be made in writing by the employe or his duly accredited representative within sixty days of the date of the decision appealed. If appeal is not made to the General Manager within sixty days the claim will be deemed to have been abandoned.

Decision on appeal will be made in writing within twenty days, if practicable, and not later than thirty days from the date of written request. Conference on such decision, if requested, will be granted within twenty days, if practicable, and not later than thirty days from date of written request. Decision in writing by General Manager will be made within fifteen days of conclusion of conference. Decisions not appealed to the General Manager within the time limit herein specified shall be barred and deemed to have been abandoned. If not handled by the General Manager within the time limit herein specified the claim shall be considered valid and settled accordingly.

(3) Initial decision of the General Manager, or decision following conference, if conference is held, shall be final and binding unless within one year from the date of the latest decision such claim is disposed of on the property, or proceedings for final disposition of the claim are instituted by the employe or his duly authorized representative, and General Manager is so notified. It is understood, however, that the parties may by agreement in any particular case extend the one year period herein referred to.

(4) Appeals for leniency consideration will not be subject to time limits of this rule.

Note: See Appendix "A" - Items 84, 84(a), 84(b) and 84(c).