Investigations & Discipline

The Art of the Formal Railroad Hearing
The truth about being successful at Investigations
The BASICS
What is an investigation?
An administrative procedure intended to conduct an impartial examination of ALL the facts connected with the incident; developing the truth regardless of the results to either party
Purpose of Discipline & Investigation Rule
The true purpose of the “Investigation” or “Discipline” Rule is to protect the employee from an arbitrary and unilateral assessment of discipline without just cause at the will of the carrier.
Can the railroad terminate me without a fair hearing?
Investigation must take place prior to Imposing Discipline
WHO is the moving party in disciplinary matters? The Railroad or Employee?
Railroad Must Prove Charges
What rights does the charged have?
Agreement

Rights
Rights & Principles
established by consistent
NRAB Findings
General
Examples of Rights
The Charged is Entitled to:

A **FAIR** and Impartial Hearing
The Charged is Entitled to:

A FAIR and Impartial Hearing

Timely and Proper NOTICE of Charges
The **Charged** is Entitled to:

- A FAIR and Impartial Hearing
- Timely and Proper NOTICE of Charges
- The Right to **Representation** of Choice
The **Charged** is Entitled to:

A FAIR and Impartial Hearing

Timely and Proper NOTICE of Charges

The Right to Representation of Choice

The Right to **Confront** and Examine **Witnesses**
The **Charged** is Entitled to:

A FAIR and Impartial Hearing

Timely and Proper NOTICE of Charges

The Right to Representation of Choice

The Right to Confront and Examine Witnesses

The Right to **See and Hear** Evidence
The **Charged** is Entitled to:

A FAIR and Impartial Hearing

Timely and Proper NOTICE of Charges

The Right to Representation of Choice

The Right to Confront and Examine Witnesses

The Right to See and Hear Evidence

The Right to Mount a **Proper Defense**
The Charged is Entitled to:

A FAIR and Impartial Hearing

Timely and Proper NOTICE of Charges

The Right to Representation of Choice

The Right to Confront and Examine Witnesses

The Right to See and Hear Evidence

The Right to Mount a Proper Defense
The Railroad is **OBLIGATED** to:

**Conduct a Fair Hearing** to Develop ALL Facts FOR or Against the Employee
The Railroad is OBLIGATED to:

Conduct a Fair Hearing to Develop ALL Facts FOR or Against the Employee

**Furnish Principles and Witnesses** to Develop the Facts
The Railroad is **OBLIGATED** to:

- Conduct a Fair Hearing to Develop ALL Facts FOR or Against the Employee
- Furnish Principles and Witnesses to Develop the Facts
- **Furnish evidence** prior to the hearing if required by agreement or need time to research
The Railroad is **OBLIGATED** to:

**Conduct a Fair Hearing to Develop ALL Facts FOR or Against the Employee**

**Furnish Principles and Witnesses to Develop the Facts**

**Furnish evidence prior to the hearing if required by agreement or need time to research**

**Keep an accurate record of the hearing**
The Railroad is **OBLIGATED** to:

- Conduct a Fair Hearing to Develop ALL Facts FOR or Against the Employee
- Furnish Principles and Witnesses to Develop the Facts
- Furnish evidence prior to the hearing if required by agreement or need time to research
- Keep an accurate record of the hearing
The **Presiding Officer:**

**Should NOT** Prejudge the Case

Should NOT be a Witness to the Affair

Should testify, if requested, as to his Knowledge of the Facts and Issue.
The **Presiding Officer:**

Should **NOT** Prejudge the Case

Should **NOT** **Conduct the Hearing** in a Prejudicial Manner
The **Presiding Officer:**

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Should testify, if requested, as to his Knowledge of the Facts and Issue.
Do your members know their rights?
Educate members about rights
The Agreement protects ALL members
Discipline categories
Common Categories

Improper performance of duties
Common Categories

Improper performance of duties

Availability
Common Categories

Improper performance of duties
Availability
Failing to follow instructions
Common Categories

Improper performance of duties
Availability
Failing to follow instructions

Dishonesty – lying and theft
Common Categories

Improper performance of duties
Availability
Failing to follow instructions
Dishonesty – lying and theft
Drugs & Alcohol
Common Categories

Improper performance of duties
Availability
Failing to follow instructions
Dishonesty – lying and theft
Drugs & Alcohol
On-duty injury
Common Categories

Improper performance of duties
Availability
Failing to follow instructions
Dishonesty – lying and theft
Drugs & Alcohol
On-duty injury
Objective of representative
PREPARE and present enough evidence, *if necessary*, to prove to the arbitrator that the carrier did not have “just cause” to discipline charged employee.
What does the railroad have to prove?
3 ELEMENTS
1. Complied with Contractual Due Process
1. Complied with Contractual Due Process

2. Obtained the **Burden** of Proof
1. Complied with Contractual Due Process

2. Obtained the Burden of Proof

3. Justified the Degree of Discipline
1. Complied with **Contractual Due Process**

2. Obtained the **Burden of Proof**

3. Justified the **Degree of Discipline**
1. Contractual Due Process
2. Burden of Proof
3. Degree of Discipline

TIP

USE THESE 3 PRINCIPLES to FRAME the “Organization’s Position” WHEN WRITING the DISCIPLINE
“You must be aware of the 3 elements to prepare. Let us discuss!”
CONTRACTUAL DUE PROCESS
Contractual Due Process

Procedural Due Process Rights

Common Due Process Rights
Contractual Due Process

Procedural Rights: Technical rules of agreement for individuals charged and the procedures that **MUST** be followed.

Examples: Timely notice of charges, timely hearing and timely notification of discipline.
Common Rights: Fundamental rights and liberties which are essential and which railroad **cannot deny** even if not addressed in agreement, or if railroad follows procedural due process.

**Example:** right to face and cross-examine your accuser.
BURDEN OF PROOF
In order for the railroad to meet the burden of proof they must prove by a preponderance of evidence that their allegations are true.
What evidence does the railroad need to obtain?
Burden of Proof

Obtain an admission of guilt or wrong doing from the charged employee during the hearing.
Obtain **adequate evidence** to support the charge levied against the employee.
What is adequate evidence?
The rule followed by most jurisdictions, including the federal courts, dictate that the courts uphold the agency’s finding of fact on review if it is supported by “substantial evidence.”
"Substantial evidence is more than a mere scintilla. It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion."

Consolidated Edison Co. v. NLRB (1938)
The Supreme Court later concluded that Congress wanted the courts to review the findings of fact by administrative agencies more vigorously than they had in the past. Under the "whole record" requirement, the court was to look not just at one side of the record on review to see if there was "substantial evidence" which supported the administrative agency's finding but was to look at the evidence as presented in the entire record.

Universal Camera Corp. v. NLRB (1951)
I TOLD YOU!
WE DON'T HAVE TO PROVE ANYTHING!
Can the burden of proof be shifted to the charged?
Evidential Burden

An evidential burden obligates a party to produce evidence to support their position regarding an issue. This burden rests on the railroad, although it can be shifted for matters of defense raised by the charged employee.
Common Examples for Organization
Evidential Burden
Common Examples

**Improper Testing**

Inadequate Training/Qualification
Evidential Burden
Common Examples

Improper Testing

Improper or No Training
Evidential Burden
Common Examples

- Improper Testing
- Improper or No Training
- Inadequate Certification/Qualification
Evidential Burden
Common Examples

Improper Testing
Improper or No Training
Inadequate Certification/Qualification

Past Practice
Evidential Burden
Common Examples

Improper Testing
Improper or No Training
Inadequate Certification/Qualification
Past Practice
Further Discussion about Evidence
Federal Rules of Evidence do not apply in the railroad hearing. There are NO RULES when submitting evidence.
evidence
Evidential Deadlock
“In summary, as the party bearing the evidentiary burden of proof in this disciplinary matter, the Board finds that the Carrier failed to present any testimony or evidence to break the evidentiary deadlock which exists in this record.”

Award 46 of PLB 6916 (Ross)
BEWARE

Hearing Officer determines credibility in some cases where “one man’s word against the other” conflict.
“As this Board has held along with legions of Boards throughout the railroad industry, when there is conflicting testimony at an investigation it is the Hearing Officer who makes credibility determinations, and not Boards such as this one. “

Award 43 of PLB 7375 (Hampton)
WHAT CAN I DO?

Find a way to DISCREDIT the Hearing Officer

Find a way to VERIFY principle’s testimony with witnesses or evidence
Degree of Discipline
Degree of Discipline

Appropriateness of penalty — punitive rather than corrective.
Degree of Discipline

Appropriateness of penalty – punitive rather than corrective.

Operating rules clear and unambiguous
Degree of Discipline

Appropriateness of penalty – punitive rather than corrective.

Operating rules clear and unambiguous

Inconsistent or discriminatory enforcement
Degree of Discipline

Appropriateness of penalty – punitive rather than corrective.

Operating rules clear and unambiguous

Inconsistent or discriminatory enforcement

Proper administration of progressive discipline policy
1. Contractual Due Process
2. Burden of Proof
3. Degree of Discipline
RAILROAD must substantially comply with all three elements to meet “just cause”
The Incident and the Accused
Hey!
I’ve been here before. Don’t admit to anything!!
Should **NOT** Admit to violating any operating rules (*unless mitigating circumstances are involved*).
Should **NOT** Admit to violating any operating rules (unless mitigating circumstances are involved).

Should **NOT** give a detailed statement surrounding the incident and should obtain a copy.
Should NOT Admit to violating any operating rules (unless mitigating circumstances are involved).

Should NOT give a detailed statement surrounding the incident and should obtain a copy.
BEWARE of railroad managers making the charged CHANGE STATEMENT.
WHAT IF ADMISSION IS MADE BY CHARGED?
Charged MUST have reason for violating operating rule or policy.

Remember admission of guilt has not been made on the record.
KEEP IN MIND

Occurrence of incident doesn’t mean an operating rule was violated.

Accepting responsibility doesn’t mean evidence supports negligence.
Negligence is **NOT** demonstrated merely by a showing that an **accident has occurred**.

Carrier **MUST** demonstrate that the **Claimant failed to comply with the prescribed standard of care which was or reasonably should have been within his knowledge.**
Examine the Notice
DID PRINCIPLE RECEIVE NOTICE?
Find out if notice has been sent or properly addressed (envelope)
NO Find out if notice has been sent or properly addressed (envelope)

MUST comply with time limits of agreement
BEWARE

DO NOT to postpone investigation if principle is not properly notified.
Time Limits of the Notice are Important. The Charged Needs to be able to Secure Representation of his or her Choice.
Was the **NOTICE** properly delivered?

Certified mail
Was the NOTICE properly delivered?

Certified mail

Hand delivery
Was the NOTICE properly delivered?
Certified mail
Hand delivery
Over the phone
Was the **NOTICE** properly delivered?

- Certified mail
- Hand delivery
- Over the phone

REFERENCE AGREEMENT
Charge must be precise (specific)
Most essential part of the notice

CHARGE MUST BE PRECISE (SPECIFIC)
Notice **MUST** contain a charge, time, date, location.
Notice MUST contain a charge, time, date, location.

**MUST** be specific enough to understand allegations.
Notice MUST contain a charge, time, date, location.

MUST be specific enough to understand allegations.

MUST be specific enough to develop a proper defense.
Notice MUST contain a charge, time, date, location.

MUST be specific enough to understand allegations

MUST be specific enough to develop a proper defense
Does not mean notice needs to contain reference to an operating rule unless specifically required by agreement
Pre - Investigate
Pre-Investigate

Interview Charged
NOTE: You may have to convince the charged that he is not wrong.

OR

You may have to interrogate the charged to get the truth.
Pre-Investigate

Interview Charged

Interview Crew Members
Interview Charged

Interview Crew Members

Interview and Discuss with Experts from other Crafts
Interview Charged

Interview Crew Members

Interview and Discuss with Experts from other Crafts
STATEMENTS or Q&A’s are better than presence of actual witnesses in most cases.
WHY?

STATEMENTS cannot be cross examined
Interrogate the charging officer (s)
You made him change his statement.....WHY?
Ask “What happened?”
Ask “What happened?”

Ask specific questions
Ask “What happened?”

Ask specific questions

Do NOT relinquish your position
Ask “What happened?”

Ask specific questions

Do NOT relinquish your position

Write all questions down
Ask “What happened?”
Ask specific questions
Do NOT relinquish your position
Write all questions down
WHY?

When questioning witnesses, you can ask questions surrounding your interrogation.
Visit the scene
Visit the Scene

Take **pictures** and get copy of map
Visit the Scene

Take pictures and get copy of map

Determine actual distances
Visit the Scene

Take pictures and get copy of map

Determine actual distances

Show **visual depth** by pictures
Visit the Scene

Take pictures and get copy of map

Determine actual distances

Show visual depth by pictures

Show vantage points
Research the issue
Research

Operating Rules
Operating Rules

Timetables & Special Instructions
Research

Operating Rules

Timetables & Special Instructions

Policy & Agreements
Research

Operating Rules

Timetables & Special Instructions

Policy & Agreements

NRAB Findings
Research

Operating Rules

Timetables & Special Instructions

Policy & Agreements

NRAB Findings
Submit written request
Submit written request

Necessary witnesses
Submit written request

Necessary witnesses

Necessary evidence
Submit written request

Necessary witnesses

Necessary evidence
WHAT IF REQUEST IS DENIED?
Inform railroad in writing

Must have evidence in order to prepare proper defense

If review of evidence requires research then investigation will be reconvened otherwise railroad assumes the risk
PREPARE the defense
Most IMPORTANT part of REPRESENTATION
Preparation for Charged Employee

Prepare for initial investigation questions.
Preparation for Charged Employee

Prepare for initial investigation questions.

Prepare direct examination questions.
Preparation for Charged Employee

Prepare for initial investigation questions.
Prepare direct examination questions.
Review *documents* pertaining to *direct examination*.
Prepare for initial investigation questions.
Prepare direct examination questions.
Review documents pertaining to direct examination.
Discuss *weaknesses in testimony*. 
Preparation for Charged Employee

Prepare for initial investigation questions.

Prepare direct examination questions.

Review documents pertaining to direct examination.

Discuss weaknesses in testimony.

Discuss possible cross examination.
Preparation for Charged Employee

Prepare for initial investigation questions.
Prepare direct examination questions.
Review documents pertaining to direct examination.
Discuss weaknesses in testimony.
Discuss possible cross examination.
FORMAL HEARING
Some things YOU Need to KNOW
LOCAL CHAIRPERSON

SHIELDED from Discipline
Employee is **not subject to discipline** when acting in the capacity of Local Chairman.

Can **perform union duties aggressively in the best interests of the members**
HOWEVER: Cloak of immunity is not a license for abuse. Vulgarity, personal name calling, or threats are not protected.

Award 14 of PLB 6586 (Quinn, 2006)
ALL evidence and testimony MUST BE placed into the record. Otherwise it will NOT be considered by the arbitrator.
MOST PEOPLE DO NOT LISTEN WITH THE INTENT TO UNDERSTAND.

MOST PEOPLE LISTEN WITH THE INTENT TO REPLY
KEEP TRACK OF EXHIBITS

Create a **Exhibit Log** to easily reference exhibits during hearing
KEEP an EYE on the HEARING OFFICER for PREJUDGEMENT

observe

HE CANNOT BE JUDGE, JURY OR PROSECUTOR
WHAT IF I TOLD YOU

FAIR HEARING OFFICERS DO EXIST
REALLY?

THAT SOUNDS MAGICAL
Beware of hearing officer tactics.
Common H.O. Tactics

Stopping the recording
Common H.O. Tactics

Stopping the recording

**Off record conversations**
Common H.O. Tactics

- Stopping the recording
- Off record conversations
- Verbal *Intimidation*
Common H.O. Tactics

Stopping the recording
Off record conversations
Verbal Intimidation

Order of call of accused
Common H.O. Tactics

Stopping the recording
Off record conversations
Verbal Intimidation
Order of call of accused

Not properly sequestering witnesses
Common H.O. Tactics

- Stopping the recording
- Off record conversations
- Verbal Intimidation
- Order of call of accused
- Not properly sequestering witnesses
- Ex parte meetings without your presence
Common H.O. Tactics

Stopping the recording
Off record conversations
Verbal Intimidation
Order of call of accused
Not properly sequestering witnesses
Ex parte meetings without your presence
DO NOT GET INTO MAJOR ARGUMENTS WITH THE HEARING OFFICER

MAKE OBJECTIONS AND PROCEED "UNDER PROTEST"
Common Objections
Mr. hearing officer, I would like to make an objection.
Common Objections

Objecting to the form of the question.....

Ambiguous question.

The hearing officer has asked a leading question.

Question assumes facts not in evidence

Compound question which calls for two answers from the witness.

Lack of foundation in the record for the question asked by hearing officer

The question calls for a hearsay answer from the railroad’s witness.
Common Objections

The answer was **not responsive** to the question.

The question is **irrelevant** – beyond the scope of allowable discovery.

The question calls for **prejudicial information** from the claimant.

The question is **argumentative**.

The **document speaks for itself** (The document is the best evidence).

The question **calls for (the railroad’s witness)**

We are here to **develop the facts** not develop or draw a conclusion.

The question **mischaracterizes the testimony of the **
Examples

Make objections:

“I object as to the form of the question. The question is confusing.”

“I object; the question assumes facts not in the evidence.”
The Opening — Standard Questions
The Opening — Standard Questions

Would you like to make an opening statement?
The Opening — Standard Questions

Would you like to make an opening statement?

Have you selected someone to represent you?
Would you like to make an opening statement?

Have you selected someone to represent you?

Did you receive *proper* notification of the charges?
The Opening — Standard Questions

Would you like to make an opening statement?

Have you selected someone to represent you?

Did you receive (proper) notification of the charges?

Are you prepared to proceed?
Would you like to make an opening statement?

Have you selected someone to represent you?

Did you receive (proper) notification of the charges?

Are you prepared to proceed?
Examination of principal and witnesses
Direct Examination
Direct Examination

Questions should be prepared in advance.
Direct Examination

Questions should be prepared in advance.

Craft and Tenure should be developed.
Direct Examination

Questions should be prepared in advance.

Craft and Tenure should be developed.

Organize questions with Exhibits.
Direct Examination

Questions should be prepared in advance.

Craft and Tenure should be developed.

Organize questions with Exhibits.

No leading questions.
Cross Examination
Cross-Examination IS NOT like the movies

I WANT THE TRUTH TRAINMASTER!!

YOU WANT THE TRUTH? WELL, I COULD NOT SEE HIM FROM MY VANTAGE POINT....AND I DON'T CARE!
Cross Examination Objectives
Cross Examination Objectives

To discredit the witness’ direct testimony.
Cross Examination Objectives

To discredit the witness’ direct testimony.

To highlight conflicting testimony.
Cross Examination Objectives

To discredit the witness’ direct testimony.

To highlight conflicting testimony.

To produce testimony in the charged employee’s favor.
Cross Examination Objectives

To discredit the witness’ direct testimony.

To highlight conflicting testimony.

To produce testimony in the charged employee’s favor.
Cross Examination Techniques
Cross Examination Techniques

• Questions based on **unrefuted facts** and documents
Cross Examination Techniques

• Questions based on unrefuted facts and documents

• Challenge and discredit testimony and evidence
Cross Examination Techniques

• Questions based on unrefuted facts and documents

• Challenge and discredit testimony and evidence

• Build on and relate back to previous testimony
Cross Examination Techniques

• Questions based on unrefuted facts and documents

• Challenge and discredit testimony and evidence

• Build on and relate back to previous testimony

• Don’t ask a question if you don’t know the answer
Cross Examination Techniques

- Questions based on unrefuted facts and documents
- Challenge and discredit testimony and evidence
- Build on and relate back to previous testimony
- Don’t ask a question if you don’t know the answer
- Use LEADING QUESTIONS
Cross Examination Techniques

• Questions based on unrefuted facts and documents.

• Challenge and discredit testimony and evidence.

• Build on and relate back to previous testimony.

• Don’t ask a question if you don’t know the answer.

• Use LEADING QUESTIONS

• KNOW WHEN TO STOP or NOT ASK ANYTHING
Cross Examination Techniques

• Questions based on unrefuted facts and documents.

• Challenge and discredit testimony and evidence.

• Build on and relate back to previous testimony.

• Don’t ask a question if you don’t know the answer.

• Use LEADING QUESTIONS

• KNOW WHEN TO STOP or NOT ASK ANYTHING
Guidance for Charged Employee on Cross-Exam
Trainmaster Bob told me hand brakes were optional?!
Guidance for Charged Employee on Cross-Exam

**Answer** the question asked.

Do not volunteer information!

“I don’t know.”/”After review of facts...”

Be alert.

Be courteous.

Dispute false testimony
Guidance for Charged Employee on Cross-Exam

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Guidance for Charged Employee on Cross-Exam

Answer the question asked.

Do not volunteer information!

“I don’t know.””After review of facts...”

Be alert.

Be courteous.

Dispute false testimony
Disputing Evidence and Testimony
"...An assertion which is not denied although there is both time and opportunity to deny it must be deemed uncontroverted and, therefore, proof of its substance."  
(NRAB Third Division Award 14385)
Dispute HEARSAY

Dispute CHAIN OF CUSTODY evidence

Dispute DOCUMENTS that are altered from the original.

Dispute leading questions by H.O. that call for speculation, conjecture and undeveloped facts.
Dispute HEARSAY

Dispute **CHAIN OF CUSTODY** evidence

Dispute DOCUMENTS that are altered from the original.

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Dispute HEARSAY

Dispute CHAIN OF CUSTODY evidence

Dispute DOCUMENTS that are altered from the original.

Dispute leading questions by H.O. that call for speculation, conjecture and undeveloped facts.
Submitting Evidence
Submitting Evidence

Evidence must be in the record to be considered.

Discuss relevance of evidence.

Authenticate the evidence if necessary.

Move to admit document (offer of proof).
Submitting **Evidence**

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**Discuss** relevance of evidence.

Authenticate the evidence if necessary.

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Submitting Evidence

Evidence must be in the record to be considered.

Discuss relevance of evidence.

Authenticate the evidence if necessary.

Move to admit document (offer of proof).
What if Evidence is DENIED by Hearing Officer?
Make Objection

Make offer of proof in closing statement

Write decision maker regarding the denial
Make Objection

Make offer of proof in closing statement

Write decision maker regarding the denial
Make Objection

Make offer of proof in closing statement

Write decision maker regarding the denial
The Closing Statement
FOUGHT WELL YOU HAVE MR. HEARING OFFICER, BUT FINISH YOU I WILL WITH MY CLOSING STATEMENT
Review facts presented.
Respond to points against your case.
State the railroad’s case and how evidence fails to support allegation.
Restate the issue and remedy sought.
Closing Statement

Review facts presented.

Respond to points against your case.

State the railroad’s case and how evidence fails to support allegation.

Restate the issue and remedy sought.
Review facts presented.

Respond to points against your case.

State the railroad’s case and how evidence fails to support allegation.

Restate the issue and remedy sought.
**Closing Statement**

Review facts presented.

Respond to points against your case.

State the railroad’s case and how evidence fails to support allegation.

Restate the issue and remedy sought.
Argue for your outcome.

Cite previous discipline decisions.

Has Investigation been fair? NO!

Re-urge to offer proof if needed, and explain why the proof exonerates the principle.
Argue for your outcome.
Cite previous discipline decisions.
Has Investigation been fair? NO!
Re-urge to offer proof if needed, and explain why the proof exonerates the principle.
Closing Statement

Argue for your outcome.
Cite previous discipline decisions.

Has Investigation been fair? NO!

Re-urge to offer proof if needed, and explain why the proof exonerates the principle.
Argue for your outcome.
Cite previous discipline decisions.
Has Investigation been fair? NO!
Re-urge to offer proof if needed, and explain why the proof exonerates the principle.
Notice of Discipline
Notice of Discipline

Discipline Notice **MUST** be timely

Must contain discipline assessed

Must contain the operating rule or policy for which charged

Discipline cannot be changed to a steeper penalty once issued
Notice of Discipline

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Review Transcript
Review Transcript

Must be timely – if agreement requires

Must be accurate – refer to your recording

IF NOT: address issue in discipline appeal and include recording to General Chairperson
Appeal
Case Promptly
Appeal should be addressed to the proper officer.
AVOID THE USE OF THE WORD “LENIENTY”
Arbitrator **Lacks** Power to Grant Clemency or Pardons

See NRAB First Division Awards 19220, 19020
The standard **Discipline Appeal** should contain at least **4 elements**.
Discipline Appeal Elements

Statement of Claim
Discipline Appeal Elements

Statement of Claim

Statement of Facts
Discipline  Appeal  Elements

Statement of Claim

Statement of Facts

Position  of  Organization
Discipline Appeal Elements

Position of Organization

- Contractual Due Process
- Burden of Proof
- Degree of Discipline
Discipline Appeal Elements

Statement of Claim

Statement of Facts

Position of Organization

Conclusion
Discipline Appeal Elements

Statement of Claim

Statement of Facts

Position of Organization

Conclusion
GETTING BETTER
Read and analyze your transcripts to prevent future mistakes

Educate yourself by reading Public Law Boards and NRAB First Division Awards

Find a mentor and attend investigation as an observer