

Anchorage, Alaska
July 26, 1975

Memorandum

To: Michael Kopcha - Engineer
From: Assistant General Manager
Subject: Proposed Removal

This is notice that I propose to remove you from your position as Engineer/Fireman/Hostler in the Transportation Branch no earlier than 30 calendar days from the date you receive this notice. This proposal is the result of the investigation held July 14, 1975 in accordance with the agreement between The Alaska Railroad and United Transportation Union regarding Train No. 5 and Extra 1502 South which were involved in a rear-end collision July 5, 1975 about 3:45 p.m. at Mile 279.18. The reasons for this proposed action are as follows:

1. Violation of Rules - Operating Department as follows when you were employed as engineer of Train No. 5 on July 5, 1975 which was involved in a rear-end collision with Extra 1502 South at Mile 279.18.
 - a. Rule 99 - that part which reads, "When it is known by the engineman that his train will be delayed, he must immediately whistle out a flagman. When ready to proceed, he will recall the flagman." This violation occurred when Train No. 5 made a stop in the vicinity of Mile 279 and you failed to whistle out a flagman as required.
 - b. Rule 106 - that part which reads, "The conductor and the engineer, and the pilot if any, are responsible for the safety of the train and the observance of the rules ..." This violation occurred when you did not assume the responsibility for the safety of the train when you did not observe and comply with the prescribed procedures as required in Rule 99.
 - c. Rule 701 - that part which reads, "Employees must be alert ..." You were not alert in the performance of your duties when you

were aware that Extra 1502 South departed Healy with a run-ahead order and that Train No. 5 passed Extra 1502 South at Colorado and was to make a known stop at Hurricane and Mile 279. with such stops requiring that protection be provided Train No. 5.

The material relied on to support this proposed action is available for review in the Personnel Office and enclosed is a copy of the transcript of the investigation held July 14, 1975. If you desire to review the material, please contact Mr. R. R. Mack in Room 105, telephone number 265-2661. If desired, you will be authorized up to eight hours of official time to review the material and prepare a response. You should arrange with the Administrative Officer in the Transportation Branch for the use of official time.

You may answer these reasons personally, in writing, or both. Your response, either personally or in writing, should be made to the General Manager, General Office Building, Suite 300, Pouch 7-2111, Anchorage Alaska 99510. You may also submit affidavits in support of your answer. You will be allowed ten calendar days from date you receive this notice to submit your answer. Consideration will be given to extending this period if you submit a request stating your reasons for desiring more time. Full consideration will be given to any answer you submit. If you do not understand the above reasons why your removal is proposed, contact Mr. Mack, Personnel Officer, Room 105, General Office Building for additional information.

As soon as possible after your answer is received, or after expiration of the 10-day limit if you do not answer, you will be given a written decision.

You will remain in an active duty status during this notice period. You may request and take annual leave to your credit if you so desire during the notice period.



D. L. Allen
Assistant General Manager

Enclosure

cc: Personnel Officer
R. L. Shake, General Chairman, United Transportation Union