

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 45246
Docket No. MW-47478
24-3-NRAB-00003-220446**

The Third Division consisted of the regular members and in addition Referee Melinda Gordon when award was rendered.

**(Brotherhood of Maintenance of Way Employees Division –
(IBT Rail Conference**

**PARTIES TO DISPUTE: (
(BNSF Railway Company**

STATEMENT OF CLAIM:

“Claim of the System Committee of the Brotherhood that:

(1) The Agreement was violated when in December, 2020, the Carrier improperly assigned employee ‘home stations’ and refused to correct the same, as detailed and referenced in our December 30, 2020 claim letter and as set forth by the South Agreement in Rule 7 and by the September 1, 1982 Agreement in Rule 36 (C, 2) (System File 2402-SL7-202/14-21-0094 BNS).

(2) As a consequence of the violation referred to in Part (1) above, the following needs to occur as resolution to this claim for Claimants B. Carlisle, T. Toot, C. Hollar, L. Hunt, Robert Johns, Richard Johns, C. Gierut, J. Lorenzo and any other employee(s) not listed that may be similarly affected on all seniority districts on the BNSF:

1. Correctly assign the claimant(s) home station to a station, town or city on the timetable nearest the claimant’s residence.

a) Bradley Carlisle (#####)

Currently residing at: *** Aurora, MO 65605**

The closest station, city or town on the carrier active timetable is Aurora, Mo not Wellsville, KS

b) Travis Toot (#####)

Currently residing at: *****Chillicothe, MO 64601
The closest station, city or town on the carrier active timetable is Chillicothe, MO not Kearny, MO.

c) Christopher Hollar (#####)

Currently residing at: ***** Ozark, MO 65721
The closest station, city or town on the carrier active timetable is Rogersville, Mo, not Olathe, KS

2. Reimbursement of all monetary losses “... *fully protected by the filing of one claim or grievance based thereon as long as such alleged violation, if found to be such, continues*” in accordance with South Rule 14 and/or the September 1, 1982 Rule 42; as well as all monetary losses incurred “*shall be allowed retroactively sixty (60) days prior to the filing thereof*”.
3. Research needs to be executed by the Carrier, whom has the sole ability to reveal any other employee(s) that may be similarly affected on all seniority districts on the BNSF system. Therefore, any others similarly affected employees, shall have their home stations corrected and assigned in accordance with the applicable agreement.’ (Emphasis in original).”

FINDINGS:

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

The Organization filed the instant claim on behalf of Claimants alleging that in December, 2020, the Carrier violated the parties' Agreement by improperly assigning Claimants' home stations.

Based on a review of the record, it is clear that the Carrier designated Claimants home stations in compliance with Rule 7(b).

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 28th day of March 2024.