

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 45419  
Docket No. SG-47757  
25-3-NRAB-00003-230132**

**The Third Division consisted of the regular members and in addition Referee Edwin H. Benn when award was rendered.**

**(Brotherhood of Railroad Signalmen  
PARTIES TO DISPUTE: (  
(Union Pacific Railroad Company**

**STATEMENT OF CLAIM:**

**“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad:**

**Claim on behalf of J. Hayes to be returned to service and compensated for lost wages beginning March 10, 2022, until the Claimant is returned to work; account Carrier violated the Agreement, particularly Rules 5, 52, and 65, when, on January 25, 2022, it removed him from service and failed to notify him in writing the reasons for the disqualification and failed to return him to service in a timely manner. Carrier’s File No. 1773952, General Chairman’s File No. S206-5-52-258, BRS File Case No. 5846, NMB Code No. 307 - Contract Rules: Medical/FFD.””**

**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.**

A Carrier manager observed the Claimant having difficulty moving around due to apparent back pain. The Claimant was then referred for a fitness for duty evaluation. The record sufficiently shows that delay in returning the Claimant to duty was because the Claimant refused to submit requested unredacted documentation to the Carrier's HMS. As such, because the Claimant did not cooperate, the claim shall be denied.

**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 13<sup>th</sup> day of February 2025.