

PUBLIC LAW BOARD NO. 7602

**BROTHERHOOD OF MAINTENANCE
OF WAY EMPLOYES DIVISION**

vs.

BNSF RAILWAY COMPANY

NMB Case No. 110

Award No. 110

Organization No. B-M-3769-Z

Carrier No. 11-23-0055

STATEMENT OF CLAIM

The Organization objects to BNSF's decision to issue a Standard Formal Reprimand along with a one-year review period to Claimant Tyler F. Annala ("Claimant") for being in violation of Maintenance of Way Operating Rule (MWOR) 1.13 – Reporting and Complying with Instructions and EI 2.1 Purpose of Track Inspections. The Organization requests that Claimant be made whole for any and all benefits, and his record cleared of any reference to any of the discipline set forth in the letter from Levi Burch Roadmaster dated August 24, 2022.

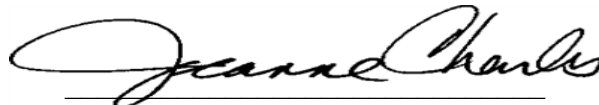
FINDINGS AND OPINION

The Board finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that this Board is duly constituted by agreement of the parties' PLB Agreement and that the Board has jurisdiction over the dispute.

In reaching its decision, the Board has considered all the testimony, documentary evidence and arguments of the parties, whether specifically addressed herein or not. A careful review of the record convinces the Board that there is not substantial evidence in the record to uphold the Carrier's determination regarding Claimant. The discipline shall be overturned and Claimant made whole.

AWARD

Claim sustained. The Carrier is to comply with the award on or before thirty (30) days following the date the award is adopted.



Jeanne Charles

Chairman and Neutral Member

Zach Hutto

Carrier Member

November 13, 2024



Labor Member

November 13, 2024