

BEFORE PUBLIC LAW BOARD NO. 7602

CASE NO. 115

**BROTHERHOOD OF MAINTENANCE
OF WAY EMPLOYEES DIVISION**

vs.

BNSF RAILWAY COMPANY

**NMB Case No. 115
Award No. 115
Organization No. C-23-D070-5
Carrier No. 10-23-0152**

STATEMENT OF CLAIM

The Organization asserts that Claimant Terry Watson was wrongfully dismissed for his violation of Maintenance of Way Operating Rule (MWOR) 1.6 - Conduct and MWOR 1.25 – Credit or Property when he stole from BNSF by using a Company fuel card to make a personal purchase of gas on February 22, 2023. The Organization requests that the dismissal be removed from his record and he be paid all days lost.

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 substantial evidence in the record to uphold the Carrier's determination regarding Claimant Terry Watson. The discipline assessed by the Carrier was neither arbitrary, excessive nor harsh under the facts and circumstances of this record and will therefore not be disturbed by this Board.

AWARD

Claim denied.

Jeanne Charles

Jeanne Charles
Chairman and Neutral Member

Zach Hutto

Carrier Member

Dated: 12/12/2025

Daryl M. Pocanella

Labor Member

Dated: 12/12/25