

BEFORE PUBLIC LAW BOARD NO. 7602

CASE NO. 121

**BROTHERHOOD OF MAINTENANCE
OF WAY EMPLOYEES DIVISION**

vs.

BNSF RAILWAY COMPANY

NMB Case No. 121

Award No. 121

Organization No. C-24-D070-1

Carrier No. 10-24-0033

STATEMENT OF CLAIM

The Organization objects to Claimant Justin J. Bartels' dismissal for alleged violation of Maintenance of Way Operating Rule (MWOR) 1.6.2 — Notification of Felony Conviction, for failure to report a felony conviction. As a result, the Organization requests Claimant's discipline "be overturned, and Mr. Bartels personal record cleared."

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. Claimant violated MWOR 1.6.2 when he failed to report his felony conviction. 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

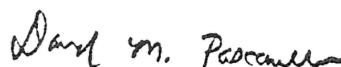
Claim denied.



Jeanne Charles
Chairman and Neutral Member



Carrier Member
Dated: 10/2/2025



Labor Member
Dated: 10/2/25