

BEFORE PUBLIC LAW BOARD NO. 7602

CASE NO. 124

**BROTHERHOOD OF MAINTENANCE
OF WAY EMPLOYEES DIVISION**

vs.

BNSF RAILWAY COMPANY

NMB Case No. 124

Award No. 124

Organization No. C-24-D070-6

Carrier No. 10-24-0119

STATEMENT OF CLAIM

The Organization claims that BNSF Railway Company (BNSF) wrongfully dismissed Claimant Travis Applebee for violation of Maintenance of Way Operating Rules (MWOR) 6.3.1 (Track Authorization) and 11.4 (Job Safety Briefings) as well as Maintenance of Way Safety Rule 1.1 (Job Safety Briefing) for releasing track authority with men and equipment still occupying the limits, while assigned as a Foreman on TSCX0049. As a result, the Organization requests Claimant be reinstated to service and made whole for all financial losses incurred.

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 Travis Applebee. 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. Pascarella

Labor Member
Dated: 12/12/25