

**BEFORE PUBLIC LAW BOARD NO. 7602**

**CASE NO. 126**

**BROTHERHOOD OF MAINTENANCE  
OF WAY EMPLOYES DIVISION**

**vs.**

**BNSF RAILWAY COMPANY**

**NMB Case No. 126**

**Award No. 126**

**Organization No. S-P-2654-F**

**Carrier No. 11-24-0135**

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**STATEMENT OF CLAIM**

The Organization claims that BNSF Railway Company violated the Agreement when Claimant Shawn Blais was dismissed from service resulting from a formal investigation held on October 27, 2023, for violating Maintenance of Way Safety Rule (MSR) 1.2.5 Safety Rules, Mandates, Instructions, Training Practices and Policies, for failure to comply with instructions enumerated on an investigation waiver dated August 2, 2023, when he failed to complete the Smith Driving Certification within thirty (30) days as required. The claimant shall be made whole for all financial losses as a result of the violation.

**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 Shawn Blais. 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*  
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Jeanne Charles  
Chairman and Neutral Member

*Zack Hutto*  
\_\_\_\_\_

Carrier Member  
Dated: 3/2/2026

*David M. Passanella*  
\_\_\_\_\_

Labor Member  
Dated: 3/3/2026