

BEFORE PUBLIC LAW BOARD NO. 7602

CASE NO. 127

**BROTHERHOOD OF MAINTENANCE
OF WAY EMPLOYES DIVISION**

vs.

BNSF RAILWAY COMPANY

**NMB Case No. 127
Award No. 127
Organization No. S-P-2655-F
Carrier No. 11-24-0136**

STATEMENT OF CLAIM

The Organization alleges that BNSF (Carrier) violated the Agreement when S. Blais (Claimant) was dismissed for handling of an electronic device while operating a company vehicle on September 25, 2023. As settlement of this claim, the Organization asserts that Carrier should reinstate Claimant and clear his personal record of any reference to this discipline or this event. The Claimant should be compensated for all lost wages, including overtime with rights and benefits unimpaired as if he were never disciplined or dismissed. He should be reimbursed for all medical expenses, to include premiums, copays and deductible costs that were incurred while he was unable to use the Carrier's health insurance plan.

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.

The Claimant was also before this Board in Case No. 126. In that case, the Board denied the claim and upheld the Claimant's termination. For that reason, any decision in this case regarding the employee's alleged violation of the Carrier's rules regarding handling of an electronic device while operating a company vehicle is moot.

AWARD

Claim dismissed.

Jeanne Charles

Jeanne Charles
Chairman and Neutral Member

Zack Hutto

Carrier Member
Dated: 3/2/2026

Daryl M. Pasconella

Labor Member
Dated: 3/3/2026