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**National Railway Adjustment Board
And Public Law Board Awards**

NRAB First Div. Award 27326 (2011) (“The Carrier stated that . . . the Claimant seeks a remedy on the basis that the Carrier discriminated against and retaliated against the Claimant and . . . violated his civil rights and the Americans with Disabilities Act. The Carrier stated that the above matters clearly involve state and federal laws that the Board has no jurisdiction to resolve. The Carrier cited Second Division Awards 12149 and 13090 to support its position that every Division of the Board has consistently dismissed any dispute that comes before it seeking validation of a violation of a state or federal law. . . . The Board finds that the . . . dispute . . . involved subject matters that the Board has no jurisdiction to resolve.”) (carrier was Union Pacific Railroad)

NRAB Second Div. Award 13090 (1996) (“With respect to . . . the Organization’s allegation that Carrier is in violation of the Americans with Disabilities Act . . . , this Board has previously pointed out that we are not empowered to interpret or enforce state or federal statutes, and our authority is limited to interpreting or applying Agreements between Carriers and their employees.”)

NRAB Fourth Div. Award 4881 (1993) (“[T]he jurisdiction of the EEOC is limited to statutory matters, while the jurisdiction of this Board concerns the [collective bargaining] agreement”)

Public Law Board 5176 Award 9 (1992) (“The Organization . . . makes considerable equity argument. . . . Also, a Civil Rights Consent Decree is referenced. . . . Our exclusive role is to apply fact situations to agreement provisions and . . . determine if the terms and provision of the Agreement were misapplied. In this process we are without license to enlarge the terms of the Agreement. . . .”)

NRAB Second Div. Award 12198 (1991) (“nor does this Board have jurisdiction to rule on state or federal law and/or Constitutional matters”)

NRAB Second Div. Award 12149 (1991) (“[T]his Board does not have the authority to interpret or enforce State or Federal statutes or regulations. Our authority is limited to interpreting or applying agreements between Carriers and their employees.”)

NRAB Second Div. Award 11624 (1987) (“[T]his Board does not have the authority to interpret or enforce State or Federal statutes or regulations. Our authority is limited to interpreting or applying agreements between Carriers and their employees.”)

NRAB Second Div. Award 10613 (1985) (“The Carrier stated that . . . this Board is not charged with, nor should it get involved in, matters involving Title 7 of the Civil Rights Act.”)

NRAB Third Div. Award 25308 (1985) (enforcing established past practice of gender-based preference despite assertion that it violated Title VII; “Where local employe officials with knowledge of the [Labor]

Organization enter into practices for the benefit of their employe[e]s, without Carrier pressure, and establish long term past practice, the Board must hold the Carrier for compliance with such practice”)

Public Law Board 2765, Award 8 (1982) (“The Board has taken note of the Petitioner’s arguments that Carrier’s actions were violative of Claimant’s civil rights. . . . [S]uch complaints . . . are outside this Board’s jurisdiction. . . .”)

NRAB Third Div. Award No. 22318 (1979) (“We have repeatedly held that claims not handled pursuant to the Railway Labor Act . . . cannot be entertained or allowed. . . . [A] claim alleging . . . a violation of Title VII of the Civil Rights Act of 1964 . . . is directed to the wrong forum.”)

NRAB Second Div. Award 7434 (1978) (“Contrary to the Claimant’s contentions regarding ‘equity relief’ and decisions of the United States Supreme Court relating to the Civil Rights Act, the sole question properly before this Board is the question of Claimant’s proper seniority date under the Agreement of the parties. This Board’s jurisdiction under Section 3, First (i) of the Railway Labor Act is limited to interpreting or applying agreements between carriers and their employees.”)

NRAB Third Div. Award No. 19790 (1973) (“[T]his Board lacks jurisdiction to enforce rights created by State or Federal Statutes and is limited to questions arising out of interpretations and application of Railway Labor Agreements”)

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United Airlines, Inc., 48 LA 727, 733 (BNA) (1967)
("The jurisdiction of this System Board does not extend
to interpreting and applying the Civil Rights Act").
