

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

Award No. 13906

Docket No. 13777

06-2-05-2-1

The Second Division consisted of the regular members and in addition Referee Raymond E. McAlpin when award was rendered.

(National Conference of Firemen and Oilers

PARTIES TO DISPUTE: (

(TSB Railway Co., Inc.

STATEMENT OF CLAIM:

- “1. That, in violation of the current agreement, Mr. Brian Ross, was unjustly deprived of work from the TSB Railway Co., Inc., from date of June 7, 2004 and continues to be deprived of work to date this document was prepared.

At the time of violation, Mr. Ross was held on furloughed status. Mr. Ross was a Train Crew Employee for the Carrier and was available for work.

2. That, accordingly, the Carrier be ordered to make the above mentioned Mr. Brian Ross, whole for the following days lost to him due to the Carrier's violation of the controlling bargaining agreement.”

FINDINGS:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

Form 1
Page 2

Award No. 13906
Docket No. 13777
06-2-05-2-1

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

During Oral arguments, the Board was informed the Parties have reached settlement.

AWARD

Claim dismissed.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division**

Dated at Chicago, Illinois, this 7th day of July 2006.