

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

**Award No. 14142
Docket No. 14027
16-2-NRAB-00002-140055**

The Second Division consisted of the regular members and in addition Referee Joseph M. Fagnani when award was rendered.

**(Brotherhood Railway Carmen-Division of TCU/IAMAW
PARTIES TO DISPUTE: (
(BNSF Railway Company**

STATEMENT OF CLAIM:

- “1. That the Burlington Northern Santa Fe violated Rules 2, 3, 4, 16, 36, 98 and most importantly, Rule 37, of the September 1, 1974 ATSF Agreement, when on August 2, 2009, 3rd shift Leadman position #9771 held by Carman Jason D. England, was arbitrarily abolished by the Carrier. On October 15, 2009 the Carrier restored a 3rd shift Leadman position, #9824 which is held by the Claimant, but eliminated the \$.50 Leadman differential. The duties of the position remained unchanged.**
- 2. That accordingly, the Carrier be ordered to compensate the Claimant \$.50 per hour commencing October 25, 2009 and continuing until corrected.”**

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.

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 the Hearing on this case, the parties indicated that they had reached a mutually agreeable settlement in this case. Accordingly, the claim before the Board will be dismissed.

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 20th day of December 2016.