

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 41853
Docket No. SG-42051
14-3-NRAB-00003-120439**

The Third Division consisted of the regular members and in addition Referee Michael Capone when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Northeast Illinois Regional Commuter Railroad
(Corporation (Metra)

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Northeast Illinois Regional Commuter Railroad Corp. (METRA):

Claim on behalf of A. Burgos Jr., for compensation in the amount of \$82.99, account Carrier violated the current Signalmen’s Agreement, particularly Rule 15, when it directed the Claimant to begin working at 12:00 p.m. on February 2, 2011, and required him to work 30 continuous hours until it released him from duty at 6:00 p.m. on February 3, 2011, and then refused to properly compensate him at the appropriate straight-time, overtime, and double-time rates of pay for the portions of those hours to which these rates were applicable. Carrier’s File No. 11-21-794. General Chairman’s File No. 21-S-11. BRS File Case No. 14797-NIRC.”

FINDINGS:

The Third 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.

Subsequent to the closing of the Board's hearing, the Carrier advised the Board that it had settled the claims as presented without prejudice to the position of either Party. In view of this, the Board considers this case as handled to a conclusion and therefore withdrawn from further consideration.

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 Third Division**

Dated at Chicago, Illinois, this 16th day of June 2014.