

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 42756
Docket No. MS-42617
17-3-NRAB-00003-140360**

The Third Division consisted of the regular members and in addition Referee Barry E. Simon when award was rendered.

(Dennis R. Lucas

PARTIES TO DISPUTE: (

(CSX Transportation, Inc.

STATEMENT OF CLAIM:

“Concerning File No. 2013-143723 (1.4969(1)SCL)
2013-144044 (14969(1) SCL)
2013-144045 (1.4969(1) SCL)
2013-144547 (1.4998(1) SCL)

Carrier violated the terms of the SCL Agreement specifically Rule 1 and Rule 18 as well as past law board ruling when it allowed or required Trainmaster Maurice Etheridge to transport crews. This is clerical work covered under the Scope Rule and took place within the territory that is exclusively assigned to the clerical craft at the Rocky Mount Terminal located at 2501 SW Main ST. Rocky Mount, NC 27801.”

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.

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

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

Prior to the hearing before the Board, the parties reached agreement settling the claims herein. There is, therefore, no dispute before the Board.

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 25th day of September 2017.