

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 42911
Docket No. SG-42913
18-3-NRAB-00003-150083**

The Third Division consisted of the regular members and in addition Referee Peter R. Meyers when award was rendered.

PARTIES TO DISPUTE: (
(Brotherhood of Railroad Signalmen
(CSX Transportation, Inc.

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on CSX Transportation (formerly Baltimore & Ohio):

Claim on behalf of J. J. Bennett, for the difference in the rate of pay for a Signalman and that of a Signal Foreman, for 40 straight-time hours and 6 overtime hours, account Carrier violated the current Signalmen’s Agreement, particularly Rule 24, Preservation of Rates, when it permitted the Claimant to move from his Signalman’s position to fill the Signal Foreman’s position on Team 7D21 during the week of Aug 26-30, 2013, and then refused to compensate him at the higher rate of pay. Carrier’s File No. 2013-151498. General Chairman’s File No. 13-16-24. BRS File Case No. 15052-B&O.”

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.

At the November 7, 2017, hearing of the Board in this case, the parties advised the Board that they have decided to settle this matter and dismiss this case. Therefore, the Board finds that the claim must 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 Third Division

Dated at Chicago, Illinois, this 14th day of February 2018.