

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 42913  
Docket No. SG-42951  
18-3-NRAB-00003-150125**

**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 C&O, Chesapeake District):**

**Claim on behalf of T. M. Dingus and J. E. Patron, for three hours each at their respective time and one-half rate of pay, account Carrier violated the current Signalmen’s Agreement, particularly CSXT Labor Agreement No. 15-063-10, when on September 4, 2013, it directed members of PTC Force 7Z18 to repair the signal system between Control Points Oriana and Newport News Holdout. The employees on Signal PTC Gang 7Z18 are contractually restricted to performing PTC associated construction work and Carrier’s use of this gang to perform maintenance and repairs, instead of assigning that work to the Claimants, caused the Claimants a loss of work opportunity. Carrier’s File No. 2013-15198. General Chairman’s File No. 13-35-CD. BRS File Case No. 15134-C&O (CD).”**

**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.