

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 43137  
Docket No. MW-43322  
18-3-NRAB-00003-150538**

**The Third Division consisted of the regular members and in addition Referee Amedeo Greco when award was rendered.**

**(Brotherhood of Maintenance of Way Employees Division -  
(IBT Rail Conference**

**PARTIES TO DISPUTE: (**  
**(CSX Transportation, Inc.**

**STATEMENT OF CLAIM:**

**“Claim of the System Committee of the Brotherhood that:**

- (1) The Agreement was violated when beginning on March 13, 2014 to and including April 17, 2014 and continuing, the Carrier assigned outside forces to drill and install H-piling at Mile Post CMG 106.5 on the Appalachian Division (System File G29704314/2014-165813 CSX).**
- (2) As a consequence of the violation referred to in Part (1) above, Claimants A. Bowling, S. Neace, J. Holbrook, H. Lowe, C. Williams, J. Samons, L. Cyrus and R. Thompson ‘... shall now be paid an equal share of all the man hours made by the contractor (including overtime), beginning on March 13, 2014, and continuing until the violation stops, at their respective straight and overtime rates of pay.’”**

**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.**

**The parties have settled the case on property.**

**There no longer is a matter in dispute and the Claim is 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 30th day of May 2018.**