

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 43142  
Docket No. MW-43436  
18-3-NRAB-00003-160074**

**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 the Carrier assigned outside forces (R. J. Corman) to perform Maintenance of Way work (material distribution) at various locations in connection with a re-tie project on the Medaryville Branch Line on the Monon Seniority District beginning on March 24, 2014 through March 28, 2014 (System File H39404314/2014-165976 CSX).**
- (2) The claim\* referenced in Part (1) above, as conferenced with the Carrier’s designated representative, shall be allowed as presented because said claim was not disallowed by the Carrier’s highest designated Labor Relations Officer in accordance with Rule 24(b).**
- (3) As a consequence of the violations referred to in Parts (1) and/or (2) above, Claimant D. Richardson shall now ‘... be compensated for six (6) hours at his respective straight time rate of pay. Also, that all time be credited towards vacation and retirement. \*\*\*’**

**\*The initial letter of claim will be reproduced within our initial submission.”**

**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.