

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 43150  
Docket No. SG-43411  
18-3-NRAB-00003-160048**

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

**(Brotherhood of Railroad Signalmen  
PARTIES TO DISPUTE: (  
(Union Pacific Railroad Company**

**STATEMENT OF CLAIM:**

**“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad:**

**Claim on behalf of H. C. Steele, Jr., for reinstatement with payment for all time lost, including overtime, and compensation for any loss of benefits he has suffered, beginning on September 17, 2014, and continuing until this dispute is resolved, account Carrier violated the current Signalmen’s Agreement, particularly Rules 63 and 65, when, on September 17, 2014, it removed the Claimant from service contending that the tools and equipment he used in his position as a Signal Maintainer could not accommodate his weight. Carrier’s File No. 1614661. UPGCW-Rule 63-65-0190. General Chairman’s File No. UPGCW-Rule 63-65-0190. BRS File Case No. 15339-UP.”**

**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.**

Since the February 8, 2018 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, this 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 30th day of May 2018.**