

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 43506
Docket No. MW-43564
19-3-NRAB-00003-160314**

The Third Division consisted of the regular members and in addition Referee Gerald E. Wallin 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, on July 8, 9, 10, 11, 14 and 17, 2014, the Carrier assigned an outside forces to perform Maintenance of Way work (collection and removing used concrete cross-ties from the right of way) at various locations between Mile Post CAB 205.0 and Mile Post CAB 214.2 near Eagle Rock, Virginia on the C&O Division of the Clifton Forge Seniority District (System File G31810714/2014-173709 CSX).**
- (2) As a consequence of the violation referred to in Part (1) above, Claimants G. Broughman, E. Peters and P. Williams “*** shall now each receive (60) hours at their appropriate straight time rates of pay in effect during the period claimed.”**

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.

After review of the submissions, the Board finds no issues remain in this dispute that require resolution by the Board.

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 1st day of March 2019.