

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 43651
Docket No. MW-43449
19-3-NRAB-00003-160170**

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 and between the dates of September 28, 2014 and October 2, 2014 the Carrier hired and assigned or otherwise allowed CWI contractors to perform the duties of installing new yard airlines at milepost CH 89.5 on the Detroit Seniority District, Chicago Division’ (System File H46413814/2014-177215 CSX).**
- (2) As a consequence of the violation referred to in Part (1) above, Claimants D. Young, Jr., B. Gibbons, D. Robinson, N. Gnuse and L. Maybee shall ‘... now be compensated for one hundred, fifty (150) hours, at each of their respective rates of pay, divided equally among the Claimants. Also, that all time be credited towards vacation and retirement. ***”**

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 17th day of May 2019.