

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 43877
Docket No. SG-45129
20-3-NRAB-00003-180623**

The Third Division consisted of the regular members and in addition Referee Paul Betts when award was rendered.

PARTIES TO DISPUTE: (**(Brotherhood of Railroad Signalmen**
(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 G. Pedersoli, for 70 hours at his respective overtime rate of pay, account Carrier violated the current Signalmen’s Agreement, particularly Rule 10, when on April 2, 3, 9, 10, and 15, 2017, it improperly used a junior employee to perform overtime work that accrued to the Claimant, thereby denying him the work opportunity and the ability to earn the wages associated with the performance thereof. Carrier's File No. 1687400. General Chairman's File No. N 0109. BRS File Case No. 15912-UP. NMB Code No. 172.”

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.

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Following presentation to the Board, the case was resolved jointly by the parties. As a result, 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 28th day of January 2020.