

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 44541
Docket No. 46096
22-3-NRAB-000003-200206**

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

**(Brotherhood of Maintenance of Way Employees Division -
(IBT Rail Conference**

PARTIES TO DISPUTE: (

(Springfield Terminal Railway Company

STATEMENT OF CLAIM:

“Claim of the System Committee of the Brotherhood that:

- (1) The Agreement was violated when the Carrier assigned outside forces to perform Maintenance of Way and Structures Department work (bridge timber work, bridge repair, laying out ties and rail, track protection work) at (inclusive of but not limited to) CPF 385-CPR 35 on September 19, 20, 21, 24, 25, 26, 27 and October 1, 2, 3, 4, 5, 9, 10, 11, 12, 15 and 16, 2018 and continuing (Carrier’s File MW-19-02 STR).**
- (2) As a consequence of the violation referred to in Part (1) above, Claimants R. Breor, G. Dorman, T. Anderson, T. Pierce, K. Jones, C. Richotte, C. Rice and R. Scott shall now be compensated for all hours worked by the outside forces as identified in the Organization’s initial claim letter.”**

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.

At the hearing, the Board was advised that the Organization was withdrawing this dispute from the Board. Therefore, no further action is required, and the claim shall 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 8th day of October 2021.