

The Third Division consisted of the regular members and in addition Referee Barry E. Simon when award was rendered.

STATEMENT OF CLAIM:

“Claim on behalf of N. Bartholomew, for the difference in pay between Maintainer's II rate of pay and Signalman's rate of pay, starting May 7, 2019, continuing until the issue is properly compensated, account Carrier violated the current Signalmen's Agreement, particularly Rules 2 and 4, when the Claimant was required to do higher classification work without receiving the higher rate of pay. Carrier's File No. WT-2-4-0030. General Chairman's File No. WT-2-4-0030. BRS File Case No. 16168-TASI. NMB Code No. 72.”

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.

The parties have advised the Board that the claim herein has been resolved. As there is no longer a matter in controversy, we must dismiss the claim.

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 October 2022.