

**CORRECTED**

**Form 1                      NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 45104  
Docket No. MW-44951  
24-3-NRAB-00003-230312**

**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: (**  
**(CSX Transportation, Inc.**

**STATEMENT OF CLAIM:**

**“Claim of the System Committee of the Brotherhood that:**

- (1)    The Agreement was violated when, beginning on March 28, 2016 through and including April 15, 2016, the Carrier assigned outside forces to perform work setting up scaffolding in preparation of Bridge and Building (B&B) forces performing bridge repair work at Mile Post CA 664.1 in Cincinnati, Ohio on the Louisville Division (System File I50605816/2016-204571 CSX).**
- (2)    As a consequence of the violation referred to in Part (1) above, Claimants R. Farmer, M. Sheafer, B. Carpenter, D. Nickel, K. Carpenter and J. Godman shall now each ‘... be paid one-thousand (1000) hours of straight time and two-hundred (200) hours of overtime, divided equally amongst the Claimants, at their respective straight time and overtime rates of pay and that all time be credited towards vacation and retirement for the Claimants.  
\*\*\*\*\*”**

**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 Claimants have established and held seniority within the Carrier's Maintenance of Way Department. The Claimants were assigned in various classifications within the Maintenance of Way and Structures Department at the time of this dispute.

This Board has been advised that the parties have settled this case on the property and have withdrawn this dispute from the Board.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 31<sup>st</sup> day of October 2023.