

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 45230
Docket No. MW-46255
24-3-NRAB-00003-200983

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

(Brotherhood of Maintenance of Way Employees Division –
(IBT Rail Conference
PARTIES TO DISPUTE: (
(BNSF Railway Company

STATEMENT OF CLAIM:

“Claim of the System Committee of the Brotherhood that:

- (1) The Agreement was violated when the Carrier assigned junior Track Supervisor J. Martin to perform planned overtime service piloting a detector car on the Lampasas Subdivision on July 10, 11, 16 and 17, 2019 instead of assigning senior Track Supervisor B. Buck thereto (System File 2410-SL33-1959/14-19-0296 BNS).
- (2) As a consequence of the violation referred to in Part (1) above, Claimant B. Buck shall now “*** be paid 13.5 hours overtime.” (2) As a consequence of the violation referred to in Part (1) above, Claimant B. Buck shall now “***be paid 13.5 hours overtime.

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 Brotherhood of Maintenance of Way Employees withdrew the claim, and 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 March 2024.