

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 45234
Docket No. MW-46325
24-3-NRAB-00003-210043

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 Bridge and Building (B&B) Sub-department employees to perform Track Sub-department work spreading ballast to smooth walkways around switches in the Flynn Yard in Oklahoma City, Oklahoma on July 23 and 24, 2019 instead of calling and assigning Track Sub-department employees W. Kok, Jr., J. McCain and S. Barrett thereto (System File 1251-SL-1919/14-19-0377 BNS).
- (2) As a consequence of the violation referred to in Part (1) above, Claimants W. Kok, Jr., J. McCain and S. Barrett shall now each be allowed twenty (20) hours straight time at their respective rates of pay.

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.