

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 45244
Docket No. MW-46743
24-3-NRAB-00003-210266**

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 recouped from Mr. B. Narcisse, Jr. a Rule 37 travel time and mileage payment on November 1, 2019 in connection with the use of his personal vehicle on September 14, 2019 to travel and report to his regular work assignment in Schriever, Louisiana after completion of company training in OverlandPark, Kansas on September 13, 2019 (System File 2411-SL37-1924/14-20-0040 BNS).**
- (2) As a consequence of the violation referred to in Part (1) above, Claimant B. Narcisse, Jr. shall now be reimbursed one hundred ten dollars and eight cents (\$110.08) in travel time and mileage payments improperly recouped by the Carrier.”**

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.