

Award No. 203
Case No. 208

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Parties to Dispute: (
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**BROTHERHOOD OF MAINTENANCE
OF WAY EMPLOYES**

-and-

BURLINGTON NORTHERN SANTA FE RAILWAY

Statement of Claim: Claim on behalf of Western Region Maintenance of Way B & B Employee M. N. Romero (Employment Date 10-11-72), for reinstatement with all seniorities, vacation and benefit rights restored and pay for all wage loss and or made whole beginning December 26, 1995 and continuing.

This Board was duly constituted by agreement of the parties dated January 21, 1987, as amended, and as further provided in Section 3, Second of the Act, 45 U.S.C. Section 153, Second. This matter came on for consideration before the Board pursuant to the expedited procedure for submission of disputes between the parties. The Board, upon review of the entire record, finds that the parties involved in this dispute are a

Carrier and employee representative ("Organization") within the meaning of the Railway Labor Act ("Act"), as amended.

FINDINGS

The Board received notification on February 27, 1997, that the claimant, Marvin Romero, entered into a Compromise Settlement Agreement with the Carrier in an action entitled, Marvin Romero v. The Atchison, Topeka & Santa Fe Railway Co., Case No. 17,731 (Nolan Cty. Dist., Texas). Pursuant to the terms of the Compromise Settlement Agreement and related Agreement Not To Mark Up/Resignation, each dated November 22, 1996, the claimant resigned from the service of the Carrier, relinquished all rights he possessed as an employee, and thereby settled and compromised any and all claims related to his employment with the Carrier that had been or could have been asserted under the Act.

Based on the foregoing findings, the Board holds that the claim presented in this case has been settled and compromised, and hereby dismisses the claim with prejudice.

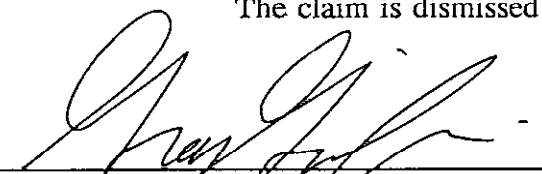
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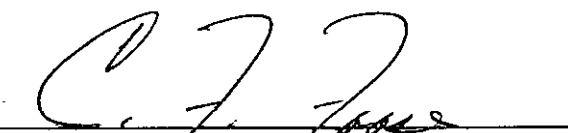
Award No. 203

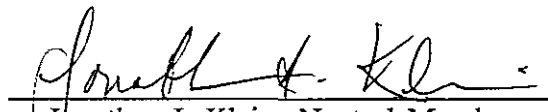
Case No. 208

AWARD

The claim is dismissed.


Greg Griffin, Carrier Member


Clarence F. Foose, Employee Member


Jonathan I. Klein, Neutral Member

This Award issued the 1st day of April, 1997.