

NATIONAL MEDIATION BOARD

PUBLIC LAW BOARD NO. 6302

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES)
and) Case No. 158
UNION PACIFIC RAILROAD COMPANY) Award No. 153
_____)

Martin H. Malin, Chairman & Neutral Member
T. W. Kreke, Employee Member
D. A. Ring, Carrier Member

Hearing Date: March 23, 2009

STATEMENT OF CLAIM:

- (1) The Carrier withheld Claimant from service September 24, 2007 to October 3, 2007 without justification. This was a violation of the Agreement.
- (2) As a consequence of the violation referred to in Part (1) above, the Claimant shall be given compensation equal to the amount she would have received for all hours she was not allowed to work September 24 through October 3, 2007 including any overtime that Claimant should have been allowed to work.

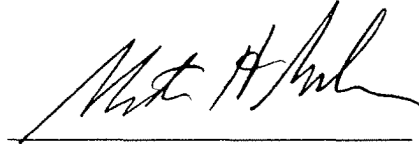
FINDINGS:

Public Law Board No. 6302 upon the whole record and all of the evidence, finds and holds that Employee and Carrier are employee and carrier within the meaning of the Railway Labor Act, as amended; and, that the Board has jurisdiction over the dispute herein; and, that the parties to the dispute were given due notice of the hearing thereon and did participate therein.

It appears that this matter has been resolved on the property. Accordingly, the case must be dismissed as moot.

AWARD

Claim dismissed.



Martin H. Malin, Chairman



D. A. Ring
Carrier Member



T. W. Kreke
Employee Member

June 23, 2009

Dated at Chicago, Illinois, June 23, 2009