

SPECIAL BOARD OF ADJUSTMENT NO. 1049

AWARD NO. 244

Parties to Dispute:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

AND

NORFOLK SOUTHERN RAILWAY COMPANY

Statement of Claim:

Claim concerning Mr. E. Nelson (Carrier's File MW-GNVL-13-03-LM-094).

Upon the whole record and all the evidence, after hearing, the Board finds the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

This award is based on the facts and circumstances of this particular case and shall not serve as precedent in any other case.

AWARD

After thoroughly reviewing and considering the record and the parties' presentations, the Board finds that the claim should be disposed of as follows:

This matter has been resolved by the parties prior to hearing by the Board. No further action by the Board is required.

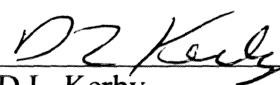
The claim is dismissed.



M.M. Hoyman
Chairperson and Neutral Member



D. Pascarella
Employee Member



D.L. Kerby
Carrier Member

Issued at Chapel Hill, North Carolina on May 9, 2014.