

**NATIONAL MEDIATION BOARD
PUBLIC LAW BOARD 6920**

Kansas City Southern Railway Company)
MidSouth Rail Corporation/South)
Rail Corporation)
)
and)
)
)
Illinois Central Gulf Federation)
Brotherhood of Maintenance Way)
Employes Division, International)
Brotherhood of Teamsters)

Case No. 16
Award No. 16

STATEMENT OF CLAIM:

1. Carrier violated the current Work Agreement including but not limited to the Arbitrated Agreement between the Kansas City Southern Railway (including the former Louisiana and Arkansas Railway Company, the former Joint Agency, and the former Mid-South Rail Corporation) and the Brotherhood of Maintenance of Way Employees when, on November 1, 2007, it did not allow Claimant M. Evans to exercise his seniority onto Super Gang 506 and displace an employee from another territory occupying a position in the classification wherein Claimant holds seniority.
2. As a consequence of the violation referred to in Part 1 above, Claimant should immediately displace onto Gang 506 and be compensated at the Foreman's rate of pay for each straight time hour and overtime hour worked by Gang 506 plus interest charges based on a daily periodic rate of .0271% (Annual Percentage Rate of 9.9%) calculated by multiplying the balance of the claim by the daily periodic rate and by the corresponding number of days over sixty (60) that the claim remains unpaid.

Findings:

Public Law Board 6920, upon the whole record and all the evidence, finds that (1) the parties to this dispute are Carrier and Employees within the meaning of the Railway Labor Act as amended, (2) the Board has jurisdiction over this dispute and (3) the parties to this dispute were accorded due notice of the hearing.

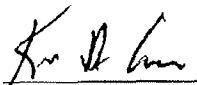
Subsequent to the filing of this dispute with the Board, the parties engaged in further discussions and agreed to withdraw this case from the Board's consideration for adjudication.

Award:

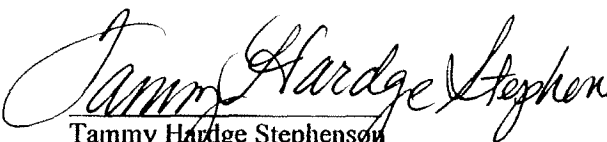
Claim withdrawn.



Patrick Halter
Neutral Member
PLB 6920 Case No. 16



Kevin D. Evanski
Organization Member



Tammy Hodge Stephenson
Carrier Member

Dated this 14th day
of November, 2012