

PUBLIC LAW BOARD NO. 6043

BROTHERHOOD OF MAINTENANCE OF WAY  
EMPLOYES DIVISION - IBT RAIL CONFERENCE

Case No.: 438  
Award No.: 438

vs.

ILLINOIS CENTRAL RAILROAD COMPANY

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**STATEMENT OF CLAIM:**

“Claim of the System Committee of the Brotherhood that:

1. The Agreement was violated when the Carrier assigned junior employee R. Jones to perform rest day overtime service on August 3, 2013 instead of assigning the senior incumbent Mr. R. Alvarez (System File C130803/IC-BMWED-2013-00195 ICE).
2. As a consequence of the violation referred to in Part 1 above, Claimant R. Alvarez shall now ‘... be allowed a total of twelve (12) hours at his time and one-half rate totaling \$409.86.’ (Emphasis in original) (Employes’ Exhibit ‘A-1’).”

**FINDINGS:**

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier or employee within the meaning of the Railway Labor Act as approved June 21, 1934. Public Law Board 6043 has jurisdiction over the parties and the dispute involved herein.

At a hearing before the Board, the parties jointly advised that this claim has been settled on the property and requested an Award showing it was dismissed.

**AWARD**

Claim dismissed.

  
Kathryn A. VanDagens, Neutral Member

  
Ross Glorioso, Organization Member

  
Patrick Crain, Carrier Member

Dated: August 9, 2023