

AWARD NO. 207

Case No. 207

Organization File No. I61701113

Carrier File No. 2013-139478

**PUBLIC LAW BOARD NO. 7163**

PARTIES     ) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION,  
              )    INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
TO            )  
              )  
DISPUTE     ) CSX TRANSPORTATION, INC.

**STATEMENT OF CLAIM:**


1.     The Agreement was violated when the Carrier assigned Roadmasters T. Conner, J. Niedzwecki and Assistant Roadmaster L. Bell to perform FRA track inspections and perform other Track Department work on the Louisville Division beginning December 10, 2012 and continuing and failed to offer or assign such work to Claimants P. Hughes and J. Dickerson.
2.     As a consequence of the violation referred to in Part 1 above, Claimants P. Hughes and J. Dickerson shall now be compensated "... two (2) hour, and forty (40) minutes overtime, each, beginning on December 10, 2012, and continuing until the violation stops, at their respective overtime rates of pay."

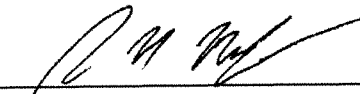
**FINDINGS:**


The Board, upon consideration of the entire record and all of the evidence, finds that the parties are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated March 20, 2008, this Board has jurisdiction over the dispute involved herein, and that the parties were given due notice of the hearing held.

The Board has been advised that the parties have resolved this dispute prior to the issuance of this Award. Inasmuch as there is no longer a matter in controversy, the Board will dismiss the claim herein.

AWARD: Claim dismissed.

  
Barry E. Simon  
Chairman and Neutral Member

  
Andrew Mulford  
Employee Member

  
Rob Miller  
Carrier Member

Dated: 10/19/2016  
Arlington Heights, Illinois