

AWARD NO. 214

Case No. 214

Organization File No. B16161513

Carrier File No. 2013-143830

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:

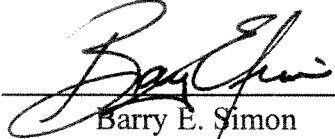
1. The Agreement was violated when, on March 30, 2013, the Carrier assigned junior employees M. Anthony and C. Burrell to perform overtime work of replacing rail and adding approach crossties at the switch and crossing near Mile Post SXH 42.2 on the Jacksonville Seniority District.
2. The claim as presented by Vice Chairman N. Trawick on April 23, 2013 to Division Engineer R. Moore shall be allowed as presented because said claim was not disallowed in accordance with Rule 24(a).
3. The appeal as presented by Vice Chairman N. Trawick on September 6, 2013 to Highest Designated Officer (HD)) R. Paszta shall be allowed a presented because said appeal was not disallowed in accordance with Rule 24(b)
4. As a consequence of the violations referred to in Parts 1 and/or 2 and/or 3 above, Claimants L Perera and A. Hernandez shall now be compensated for twelve (12) hours' overtime at their respective 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: 10/19/16
Arlington Heights, Illinois