

AWARD NO. 330
Case No. 330

Organization File No. S21909216
Carrier File No. 2016-209589

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:

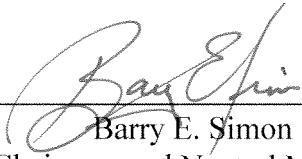
1. The Agreement was violated when, commencing June 6, 2016 and continuing up to and including June 10, 2016, between Mile Posts CA 44.6 and CA61.0, June 13, 2016 and continuing up to and including June 17, 2016 between Mile Posts YYG 148.20 and YYG 156.8, June 20, 2016 and continuing up to and including July 1, 2016 between Mile Posts XXB 145.5 to XXB 175.0 and July 4 and continuing up to and including July 7, 2016 between Mile Posts 120.0 to A 128.2, the Carrier allowed junior employee R. Saulter to upgrade into and work an assistant foreman position (System File S21909216/2016-209589 CSX).
2. As a consequence of the violation referred to in Part 1 above, Claimant B. Cheeks shall now be ‘,, compensated for the difference in pay between Class “A” machine operator and Assistant Foreman rate of pay for Two Hundred (200) Hours Straight Time, Fifty Eight and One Half (58 ½) Hours Overtime, and all time be credited towards vacation and Railroad Retirement.’ (Employees’ Exhibit ‘A-1’).”

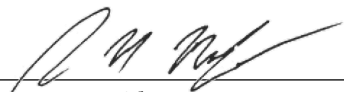
FINDINGS:


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 claim herein has been settled by the parties. Inasmuch as there is no longer a matter in controversy, the claim must be dismissed.

AWARD: Claim dismissed.


Barry E. Simon
Chairman and Neutral Member


Andrew Mulford
Employee Member


Katrina Donovan
Carrier Member

Dated: 2/4/19
Arlington Heights, Illinois