

PUBLIC LAW BOARD NO. 7163

PARTIES) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION,
) IBT RAIL CONFERENCE
TO)
)
DISPUTE) CSX TRANSPORTATION, INC.

STATEMENT OF CLAIM:

“Claim of the System Committee of the Brotherhood that:

1. The Agreement was violated when, on May 7, 2019 and continuing through May 12, 2019, the Carrier assigned junior employee T. Taylor to fill a temporary B&B assistant foreman flagman vacancy and perform fire watch behind a rail grinder on the Baltimore Division (System File BLT504919/19-05029 CSX).
2. As a consequence of the violation referred to in Part 1 above, Claimant M. Peterson shall ‘... be compensated for all hours (worked by T. Taylor with 5RG2), pay differentials, and all meal periods at his respective rates of pay. Also, that all time be credited towards vacation and retirement. In accordance with **Rule 24(t)** when a claim for compensation is allowed, the employee and his union representation shall be advised, in writing, the amount and payroll involved. Please advise the undersigned as to when this claim will be allowed.’ (Emphasis in original) (Employee’s 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 parties have notified the Neutral Member that this claim has been resolved on the property. Therefore, there is no need for further proceedings and the claim is dismissed.

AWARD: Claim dismissed.

A rectangular box containing a handwritten signature in black ink. The signature appears to read "Jacalyn J. Zimmerman".

Jacalyn J. Zimmerman
Neutral Member

A handwritten signature in black ink, appearing to read "Ross Glorioso".

Ross Glorioso
Organization Member

A handwritten signature in black ink, appearing to read "John Nilon".

John Nilon
Carrier Member

Dated: 3/14/2023