

BEFORE PUBLIC LAW BOARD NO. 7566

CASE NO. 108

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION

and

CANADIAN NATIONAL RAILWAY, WISCONSIN CENTRAL

Carrier's File WC-BMWED-2016-00015

CLAIMANTS: S. Nelson, C. Weisinger and J. Balsness

STATEMENT OF CLAIM

"Claim of the System Committee of the Brotherhood that:

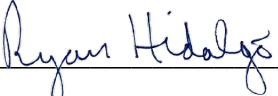
1. The Carrier violated Rules 1 and 13 of the Agreement when it supplanted its existing workforce in an effort to deny an overtime work opportunity for Messrs. S. Nelson, C. Weisinger and J. Balsness by assigning non-Agreement employees to perform the duties of sanding along the right of way on yard roads and around switches and crossings on the Iron Range Subdivision and in the Two Harbors Yard and Dock in and around Two Harbors, Minnesota on January 30, 2016 (Carrier's File WC-BMWED-2016-00015 WCR).
2. As a consequence of the violation referred to in Part 1 above, Claimants S. Nelson, C. Weisinger and J. Balsness shall be compensated three (3) hours' pay at their respective overtime rates."

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.

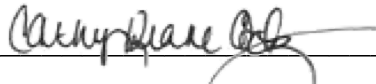
Public Law Board 7566 has jurisdiction over the parties and the dispute involved herein.

Claimants were given proper notice of the hearing in the instant claim.


The parties have resolved the above claim through settlement. Claim dismissed.



Organization Member
Ryan Hidalgo



Carrier Member
Cathy Cortez



Neutral Member
Brian Clauss

Dated: November 19, 2019