

BEFORE PUBLIC LAW BOARD NO. 7566

CASE NO. 110

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION

and

CANADIAN NATIONAL RAILWAY, WISCONSIN CENTRAL

Carrier's File WC-BMWED-2016-00006

STATEMENT OF CLAIM

"Claim of the System Committee of the Brotherhood that:

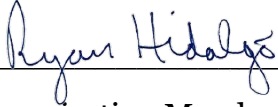
1. The Carrier violated Rules 1, 13 and Side Letter #12 of the Agreement when it supplanted its existing workforce in an effort to deny an overtime work opportunity for Claimants [the eleven (11) most senior employees in furlough status] by assigning non-Agreement employees to perform the duties of slab repair, maintenance and construction at the Duluth Ore Docks beginning on January 11, 2016 and continuing (Carrier's File WC-BMWED-2016-00006 WCR).
2. As a consequence of the violation referred to in Part 1 above, Claimants [the eleven (11) most senior employees in furlough status] shall be compensated an equal and proportionate share of all straight time and overtime hours worked by the non-Agreement employees beginning January 11, 2016 and continuing."

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.

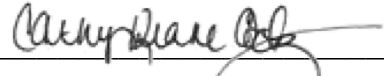
Public Law Board 7566 has jurisdiction over the parties and the dispute involved herein.

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