

BEFORE PUBLIC LAW BOARD NO. 7566

CASE NO. 111

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BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION

and

CANADIAN NATIONAL RAILWAY, WISCONSIN CENTRAL

Carrier's File WC-BMWED-2015-00013

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STATEMENT OF CLAIM

"Claim of the System Committee of the Brotherhood that:

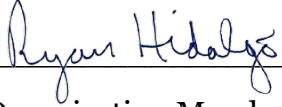
1. The Carrier violated Rules 1 and 13 of the Agreement when it supplanted its existing workforce in an effort to deny an overtime work opportunity for Claimants (an equal number of the most senior BMWED employees) by assigning non-Agreement employees to perform the duties of construction of bridges, culverts, tracks, fences and roadbed on track located at Mile Post 472-466 (Steelton Hill area) on the Superior Subdivision (Carrier's File WC-BMWED-2015-00013 WCR).
2. As a consequence of the violation referred to in Part 1 above, Claimants shall be compensated an equal and proportionate share of all hours worked by the non-Agreement employees beginning August 14, 2015 and continuing."

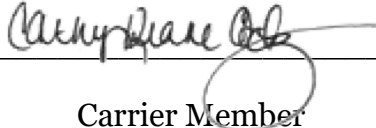
The carrier or carriers and the employee or employees involved in this dispute are respectively carrier or employee within the meaning of the Railway Labor Act as approved June 21, 1934.


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.

  
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Organization Member  
Ryan Hidalgo

  
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Carrier Member  
Cathy Cortez

  
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Neutral Member  
Brian Clauss

Dated: November 19, 2019