

BEFORE PUBLIC LAW BOARD NO. 7566

CASE NO. 136

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION

and

CANADIAN NATIONAL RAILWAY, WISCONSIN CENTRAL

Carrier's File WC-BMWED-2013-00022

Claimants: T. Palecek and M. Booth

STATEMENT OF CLAIM

"Claim of the System Committee of the Brotherhood that:

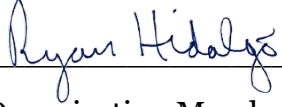
1. The Carrier violated Rules 1 and 13 of the Agreement when it supplanted its existing workforce in an effort to deny an overtime work opportunity for Messrs. T. Palecek and M. Booth by assigning non-Agreement employees to perform thermite welding of a switch panel at Mile Post 169.55 on the Neenah Subdivision on June 22, 23, 29, 30 and July 13, 2013 (Carrier's File WC-BMWED-2013-00022 WCR).
2. As a consequence of the violation referred to in Part 1 above, Claimants T. Palecek and M. Booth shall now be compensated forty-four (44) hours at their respective overtime rates of pay for the hours worked by the non-agreement employees on June 22, 23, 29, 30 and July 13, 2013."

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.

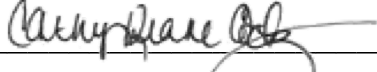
Public Law Board 7566 has jurisdiction over the parties and the dispute involved herein.

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