

BEFORE PUBLIC LAW BOARD NO. 7566

CASE NO. 137

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION

and

CANADIAN NATIONAL RAILWAY, WISCONSIN CENTRAL

Carrier's File WC-BMWED-2013-00021

Claimants A. Waldburger, E. Stendel and N. Ejnik

STATEMENT OF CLAIM

"Claim of the System Committee of the Brotherhood that:

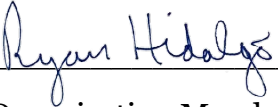
1. The Carrier violated Rules 1 and 13 of the Agreement when it supplanted its existing workforce in an effort to deny an overtime work opportunity for Messrs. A. Waldburger, E. Stendel and N. Ejnik by assigning non-Agreement employees to perform fire protection duties working behind the rail grinder beginning May 21, 2013 and continuing through June 20, 2013 (Carrier's File WC-BMWED-2013-00021 WCR).
2. As a consequence of the violation referred to in Part 1 above, Claimants A. Waldburger, E. Stendel and N. Ejnik shall be compensated one hundred fifty (150) hours at their respective overtime rates and eighty seven (87) hours at their respective double time rates of pay for the hours worked by the non-Agreement employees beginning May 21, 2013 and continuing through June 20, 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.

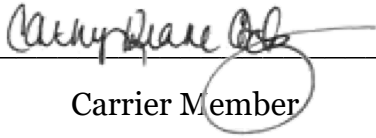
Public Law Board 7566 has jurisdiction over the parties and the dispute involved herein.

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