

PUBLIC LAW BOARD NO. 7566

BROTHERHOOD OF MAINTENANCE)
OF WAY EMPLOYES DIVISION)
IBT RAIL CONFERENCE)
and)
CANADIAN NATIONAL/WISCONSIN)
CENTRAL LTD.)

Case No. 27
Award No. 27

Claimant: J. Klingbeil

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

1. The Carrier violated the violated Rule 11 of the Agreement when it allowed unqualified employe J. R. Hooper to displace Machine Operator S. Lewandowski from his Machine Operator B. Relief Operator position for the Valley Zone Floating Section beginning on December 8, 2010 and continuing through March 4, 2011. (Carrier's File WC-BMWED-2011-00014 WCR).
2. As a consequence of the violation referred to in Part 1 above, Claimant S. Lewandowski shall be compensated the differential in pay between Machine Operator B Relief Operator position and the trackman position beginning December 8, 2010 through March 4, 2011 for all hours worked by Mr. Hooper. Claimant shall also be compensated for any and all hours worked by Mr. Hooper while on this position at the time and one-half rate of pay that Claimant would have had the opportunity to work had he rightfully remained on the position of Machine Operator B Relief Operator.

Findings:

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.

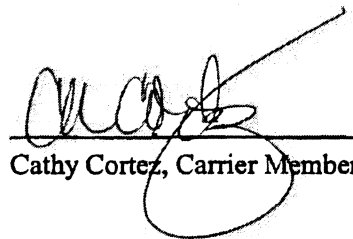
Public Law Board 7566 has jurisdiction over the parties and the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

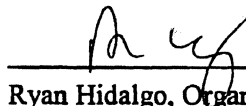
This claim is dismissed.



Brian Clauss, Chairman



Cathy Cortez, Carrier Member



Ryan Hidalgo, Organization Member

Signed on November 10, 2015