

PUBLIC LAW BOARD NO. 7566

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

Case No. 4
Award No. 4

Claimant: J. Brayak

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

1. The Carrier violated the Agreement on December 27, 2009, when it improperly assigned Remote Control Operator R. Belanger outside of the normal tour of duty and not in continuation of the day's work, to perform the duties of mechanic/loader while loading a ship, which is ordinarily and customarily performed by Claimant J. Brayak as part of his regular assignment as a mechanic/loader (Carrier's File WC-BMWED-2010-00011 WCR).
2. As a consequence of the violation referred to in Part 1 above, the Organization requests that Claimant Brayak be compensated eight (8) hours at the applicable mechanic/loader rate of pay, at the time and one-half rate, for the lost overtime work opportunity on December 27, 2009.

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.

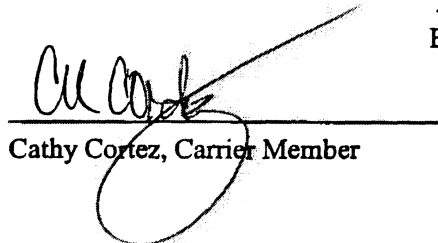
Public Law Board 7566 has jurisdiction over the parties and the dispute involved herein.

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

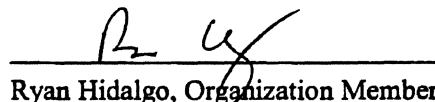
This claim is dismissed.



Brian Clauss, Chairman



Cathy Cortez, Carrier Member



Ryan Hidalgo, Organization Member

Signed on November 10, 2015