

PUBLIC LAW BOARD NO. 7599

**AWARD NO. 28
CASE NO. 28**

**PARTIES TO
THE DISPUTE:** Brotherhood of Maintenance of Way Employees Division
IBT Rail Conference

vs.

Grand Trunk Western Railroad Company

ARBITRATOR: Gerald E. Wallin

DECISION: Claim dismissed

STATEMENT OF CLAIM:

“Claim of the System Committee of the Brotherhood that:


1. The Carrier violated Rule 25 of the Agreement when it failed to timely issue its decision to impose the Claimant’s suspension and when it unduly delayed executing the Claimant’s suspension (Carrier’s File GTW-BMWED-2013-00019 GTW).
2. As a consequence of the violation referred to in Part 1 above, Mr. Kline shall be granted the remedy in accordance with Rule 24 of the Agreement.”

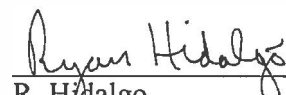
FINDINGS OF THE BOARD:

The Board, upon the whole record and on the evidence, finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that this Board is duly constituted by agreement of the parties; that the Board has jurisdiction over the dispute, and that the parties were given due notice of the hearing.

After review of the submissions, the Board finds no issues remain in this dispute that require resolution by the Board.

AWARD: The Claim is dismissed.


Gerald E. Wallin, Chairman
and Neutral Member


R. Hidalgo,
Organization Member


C. K. Cortez,
Carrier Member

Date: 2-8-2018