

PUBLIC LAW BOARD NO. 7877

Brotherhood of Maintenance of Way)	
Employees Division – IBT Rail)	AWARD NO. 18
Conference)	CASE NO. 18
)	
and)	NRAB – 00003-150321
)	
BNSF Railway Company)	

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

- (1) The Carrier violated the Agreement when it scheduled a Track Subdepartment Roster 1, Rank A foreman position (#12916) to a work week with rest days of other than Saturday and Sunday beginning January 10, 2014 and continuing (System File S-P-1830-G/11-14-0166 BNR).
- (2) The Carrier violated the Agreement when it scheduled a Track Subdepartment Roster 1, Rank A foreman position (#12915) to a work week with rest days of other than Saturday and Sunday beginning January 10, 2014 and continuing (System File S-P-1831-G/11-14-0167).
- (3) As a consequence of the violation referred to in Part (1) above, any employee assigned to said position shall "...receive eight hours pay at the time and one-half rate for each and every Sunday worked commencing January 10, 2014 (the date the bids close). We further request that any Foreman assigned to this position receive eight hours straight time pay for each and every Friday, when they are required to suspend work, commencing January 10, 2014. This claim is to continue until such time as the position is properly assigned with Saturday and Sunday rest days.
- (4) As a consequence of the violation referred to in Part (2) above, any employee assigned to said position shall "...receive eight hours pay at the time and one-half rate for each and every Saturday worked commencing January 10, 2014 (the date the bids close). We further request that any Foreman assigned to this position receive eight hours straight time pay for each and every Monday, when they are required to suspend work, commencing January 10, 2014. This claim is to continue until such time as the position is properly assigned with Saturday and Sunday rest days.

OPINION OF BOARD:

Public Law Board No. 7877, upon the whole record and all the evidence, finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that the Board has jurisdiction over the dispute herein; and that the parties to the dispute were given due notice of the hearing and did participate therein.

The instant dispute is comprised of two claims that were initiated separately on the property but were combined by the Carrier. They are both moot. Accordingly, the claims are dismissed.

AWARD

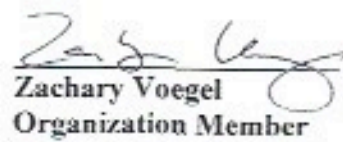
Claims dismissed.



Joe Heenan
Carrier Member



ANN S. KENIS, Neutral Member



Zachary Voegel
Organization Member

Dated January 18, 2019.