

SPECIAL BOARD OF ADJUSTMENT 1110

Award No. 121
Case No. 121

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees

and

CSX Transportation, Inc.

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood that:

1) The Agreement was violated when the Carrier failed and refused to properly pay the affected employees assigned to SPG Gang 5XR1 for work performed preceding and following their regularly assigned hours on June 8, 9, 10, 11, 15, 16, 17, 23, 24, 25, July 1, 2, 6, 7, 8 and 9, 1998 [System File 21(36)(98)/12(98-1186) CSX].

(2) The Agreement was violated when the Carrier failed and refused to properly pay the employees assigned to SPG Gang 6XR1 for work performed preceding and following their regularly assigned hours on October 12, 13, 14, 15, 19, 20, 21, 22, 26, 27, 28 and 29, 1998 [System File 21(50)(98)/12(98-1591)].

(3) As a consequence of the violation referred to in Part (1) above, the Claimants* listed below shall each be allowed compensation at the appropriate one-half time rate for the amount of time listed:

*W. Eldridge et al. 9 hours and 45 minutes

(4) As a consequence of the violation referred to in Part (2) above, the Claimants** listed below shall each be allowed ten (10) hours and forty-five (45)

minutes' pay at their respective one-half time rate.

**W. Eldridge et al.

FINDINGS:

This Board, upon the whole record and all of the evidence, finds and holds as follows:


1. That the Carrier and the Employee involved in this dispute are, respectively, Carrier and Employee within the meaning of the Railway Labor Act, as amended,; and
2. That the Board has jurisdiction over this dispute.

OPINION OF THE BOARD:

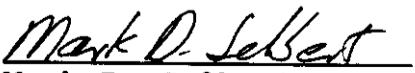
The parties indicated that they had agreed to settle the instant dispute. As a result, the Award shall indicate that the Claim is dismissed.

AWARD:

The Claim is dismissed in accordance with the Opinion of the Board.


Robert L. Douglas
Chairman and Neutral Member


Donald D. Bartholomay
Employee Member


Mark D. Selbert
Carrier Member

Dated: 9-6-01