

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 31900  
Docket No. CL-31954  
97-3-94-3-267**

**The Third Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.**

**(Transportation Communications International Union  
PARTIES TO DISPUTE:  
(National Railroad Passenger Corporation (AMTRAK))**

**STATEMENT OF CLAIM:**

**"Claim of the System Committee of the TCU (NEC-1068) (GL-11035) that:**

**The following claim is presented to the Carrier in behalf of B. Exum, 2nd shift (3:00 p.m. to 11:00) with rest days of Sunday and Monday Crew Dispatcher and a rate of pay \$103.58 per day.**

**The Carrier did violate the Northeast Corridor Clerical Agreement between Amtrak and TCU effective September 1, 1976 and as revised and amended particularly the Scope Rule along with Rule 2-A-1-a as well as others.**

**Starting on Sunday September 1, 1991 (date of Superintendent's Bulletin N-22, W-25 and S-21) from CSX Transportation Office of Division Manager Florence Division, the Amtrak and CSX crews are to use a computer, placed in the Washington Crew Dispatcher's Office, to secure all their train bulletins, train orders and any special instructions along with reporting their pay information over this said computer.**

**Claimant now to receive eight hours pay at the time and one-half rate of pay, starting with September 1, 1991 (effective date of Superintendent's Bulletin) for Saturday, Sunday and Monday 7:00 AM to 3:00 PM shift and eight hours pay at the time and one-half rate of pay for every Sunday and Monday (3:00 PM to 11:00 PM) shift and to continue until such time as this computer is removed from the Washington Crew Dispatcher's Office and the Crew Dispatcher is given back this work which is his per advertisement.**

As of October 29, 1991 claim is worth \$6525.54 and continuing at the rate of \$155.37 per day until violation is stopped.

This claim is presented to the Carrier in accordance with Rule 7-B-1."

**FINDINGS:**

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

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

Except as to the Claimant involved, this claim is identical to that reviewed in Third Division Award 31898. The Board reaches the same conclusion as in that Award.

**AWARD**

Claim sustained in accordance with the Findings.

**ORDER**

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) be made. The Carrier is ordered to make the Award effective on or before 30 days following the postmark date the Award is transmitted to the parties.

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division**

**Dated at Chicago, Illinois, this 4th day of March 1997.**