

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 33620  
Docket No. CL-33692  
99-3-97-3-138

The Third Division consisted of the regular members and in addition Referee John B. LaRocco when award was rendered.

(Transportation Communications International Union  
**PARTIES TO DISPUTE:** (  
(Springfield Terminal Railway Company

**STATEMENT OF CLAIM:**

“Claim of the System Committee of the Organization (GL-11698)  
that:

This claim is filed on behalf of Ms. Beverly Myers, Clerk, Collections Department, Boston & Maine Corporation (Springfield Terminal Railway Company). The Claim [sic] is for four (4) hours time and one-half for the following dates:

February 27 and 28;  
March 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 16, 17, 20, 21, 23, 24, 27,  
& 29;  
April 4, 5, 6, 7, 10, 11, 12, 13, 20, & 21, 1995.

The Carrier violated the Agreement when it allowed a junior employee to perform overtime work on the Claimant's position.

The Rules violated are Nos. 17 and 18.

**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 for the claim dates, this claim is the same claim and Claimant as we addressed in Third Division Award 33616 . Claimant seeks four hours of overtime for 20 days in February, March and April 1995. In this case, the Carrier raised an additional defense, that on many of the days specified in the claim, no overtime service was performed.

For the reasons more fully set forth in Award 33616, this Board must deny this claim.

**AWARD**

Claim denied.

**ORDER**

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

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

Dated at Chicago, Illinois, this 16th day of November 1999.