

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 36153
Docket No. CL-36802
02-3-01-3-360**

The Third Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

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

STATEMENT OF CLAIM:

“Claim of the System Committee of the Organization (GL-12748) that:

- 1. Carrier violated Amtrak/TCU Agreement at Engineering office Somerville, MA on Thursday November 11 and Saturday November 13, 1999, particularly but not limited to Rule 4-A-3, Appendix E Article 6(A) and National Holiday Agreements when it failed to assign General Clerk Sandra Mitchell to extra clerical work 8am - 4pm.**
- 2. Carrier shall now be required to compensate Sandra Mitchell one day's pay (eight hours) at the time and ne-half rate of the General clerk's position GC-2 \$197.28) for Thursday November 11 and Saturday November 13, 1999, which she would have received had he been properly assigned.”**

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.

The Board has reviewed the record and the Rules cited as having been violated by the Carrier. We have concluded from that review that the Claimant should have been called to work on November 13, 1999. The Board shall award eight hours at the straight-time rate to resolve this dispute.

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 20th day of August 2002.