

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 31899
Docket No. CL-31953
97-3-94-3-268

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-1069) (GL-11036)
that:

The following claim is presented to the Carrier in behalf of D. S. Liverette, Chief Crew Dispatcher, tour of duty 7:00 a.m. to 3:00 p.m. with relief days of Saturday and Sunday and a rate of pay of \$108.54 per day.

The Carrier did violate the Northeast Corridor Clerical Agreement 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 Superintendents 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 Office, to secure all their train bulletins, train orders and 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 Superintendents Bulletin) for every Tuesday thru Saturday 3:00 p.m. to 11:00 p.m. shift and to continue until

such time 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 \$6,370.17 and continuing at the rate of \$155.37 per day until violation is stopped."

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.