

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 32029

Docket No. CL-32655

97-3-95-3-589

The Third Division consisted of the regular members and in addition Referee Elizabeth C. Wesman 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 Organization (GL-11189) that:

The following claim is hereby presented to the Company in behalf of Claimant S. Alex, TCU Clerk:

(a) The Carrier violated the Amtrak - Northeast Corridor Clerks' Rules Agreement particularly the Scope Rule, Rule 3-C-2, paragraph A, Section 1 and 2, and others, when the carrier abolished Claimant Alex's position of janitor in the M of W Building, Symbol WIJ102, rate of pay = \$11.45/hr. effective 1/15/93 and then assigned duties of that position effective 2/10/93 to the following individuals: Ron Radke, C&S Dept.; Terry Tiller, E. T. Dept.; Tom Mason, Track Dept.; Teddy Gilchrist, Track Dept.; John Connell, C&S Dept.; George Mease, C&S Dept.; Al Hart, E. T. Dept.; and Ray Verrelle, E. T. Dept., on a continual basis. Duties include cleaning all offices located at the M of W base (which includes adequate maintenance of lavatories and locker rooms) and B&B Department. Person in the position must also be qualified to operate mechanical cleaning equipment.

- (b) Claimant Alex should now be allowed eight (8) hours pay at the pro-rate of \$11.45/hour per day commencing January 15, 1993 and continuing each and every work day thereafter until this violation is corrected.
- (c) In order to terminate this claim, said clerical work must be returned to the employes covered by the Clerks' Agreement.
- (d) This claim has been presented in accordance with Rule 7-B-1 and should be allowed."

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.

This case is a companion case to Third Division Award 32028. For reasons set forth at length by the Board in that Award, this claim is also denied.

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 6th day of May 1997.