

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 35941
Docket No. CL-36378
02-3-00-3-574

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-12639) that:

- (a) The Carrier violated the Amtrak Clerks' Rules Agreement particularly Rule 14 and other rules, when it failed to call and work Claimant M. Reddick for the position of Material Control Clerk, at the Beech Grove, Amtrak Facility on February 2, 1999, and instead permitted and allowed Clerk Typist, Kathy Strong to check in material in the UPS Cage.
- (b) Claimant M. Reddick now be allowed 8 hours pay at the punitive rate of \$15.88 per hour for February 2, 1999 on account of this violation.
- (c) Claimant is qualified, was available and should have been called and worked in accordance with Rule 14 and other rules.”

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.

February 2, 1999, was one of the days the entire AAMPS computer system was shut down for the conversion of the system. Kathy Strong, a Data Entry Clerk, was not

able to perform her regular duties on that day. The senior Entry Clerk was assigned to filing and Strong was sent to the UPS Cage to assist with the receiving process.

The Organization filed a claim on behalf of Claimant M. Reddick contending that she should have been called on an overtime basis to perform the work done by Strong in the UPS Cage.

The Board reviewed the record before it and has concluded that the Carrier and the local Organization Representative had agreed that the Claimant would not be sent home because there was no work for her, but rather would be assigned to other work she could do. Numerous arguments on the issue were presented by both parties. Suffice it to say that the most reasonable and practical solution to the problem on February 2, 1999 was arrived at. There is no violation of any Rule in this instance.

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 20th day of February, 2002.