



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 31, 2011

CBCA 1854-TRAV, 1869-TRAV

In the Matter of ROBERT GAMBLE

Robert Gamble, Hofenfels, Germany, Claimant.

Randy Spiker and Orbetta Hoffman, Travel Pay Operations, Defense Finance and Accounting Service, Columbus, OH, appearing for Department of the Army.

SOMERS, Board Judge.

Claimant, Robert Gamble, is a teacher with the Department of Defense Education Activity (DoDEA). Pursuant to Board Rule 407 (48 CFR 6104.407 (2010)), he has requested that this Board reconsider its opinion issued on January 6, 2011, denying his claims for expenses he alleged were incurred as part of his renewal agreement travel. *Robert Gamble*, CBCA 1854-TRAV, et al., 11-1 BCA ¶ 34,655. We dismissed the claims for lack of jurisdiction because a collective bargaining agreement between the Department of Defense Dependents Schools and the Overseas Education Association, now known as the Federal Education Association, governs this dispute and provides the exclusive procedure for resolving Mr. Gamble's claims.

Mr. Gamble seeks reconsideration of our previous decision, asserting that the Board's website states that "the Board also hears and decides various additional classes of cases, including: . . . claims by federal employees under 31 U.S.C. § 3701 for reimbursement of expenses incurred while on official temporary duty or in connection with relocation to a new duty station." <http://www.cbca.gsa.gov>. A mere description of the types of cases that the Board can hear and decide does not establish jurisdiction where none exists.

In addition, in response to Mr. Gamble's motion for reconsideration, the agency notes that Mr. Gamble filed a grievance concerning his relocation travel claim on February 4, 2011, and the grievance is currently being adjudicated under the existing collective bargaining agreement. The agency has not issued a final decision at this time.

Mr. Gamble has failed to state sufficient grounds for the Board to reconsider its decision. Indeed, it appears that Mr. Gamble is currently pursuing the remedies available to him under the provisions of a collective bargaining agreement. We find no basis to reconsider our decision.

Decision

Mr. Gamble's request for reconsideration is denied.

JERI KAYLENE SOMERS
Board Judge