

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 6980
Docket No. 6884-I
2-KCS-I-'76

The Second Division consisted of the regular members and in addition Referee Walter C. Wallace when award was rendered.

Parties to Dispute: { Mozell Kimp, Petitioner
 {
 {
 { Kansas City Southern Railway Company

Dispute: Claim of Employees:

I am Mozell Kimp, Social Security # 435-05-8788 and KCS work card # 2305.

My work classification is machinist helper.

On June 12, 1969 to June 13, 1969 I was classified as a machinist. After June 13, 1969 I was again classified as a helper.

I feel I should be given the classification of machinist. I do machinist work and have done so since 1969.

I feel my classification as machinist should be from June 12, 1969.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe 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 waived right of appearance at hearing thereon.

It is clear from the record that the claim the Petitioner is attempting to assert before this Board was not handled on the property of the Carrier in accordance with the provisions of the applicable collective bargaining agreement; Circular No. 1 of the National Railroad Adjustment Board and as required by Section 3, First (i) of the Railway Labor Act. Therefore the claim is barred from consideration by the Division and will be dismissed. See the following Second Division Awards:

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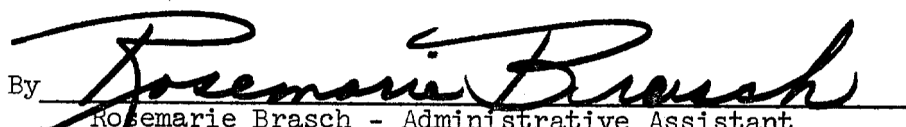
6829 - Zumas
6874 - O'Brien
6810 - Zumas
6941 - Twomey
6953 - No referee
6555 - Lieberman
6520 - Franden
6506 - Lieberman
6496 - McGovern
6484 - Shapiro

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By 
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 9th day of January, 1976.