

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 Number 435-05-8788, and I work for Kansas City Southern Lines. My work card # is 2305. I began working for KCS on March 4, 1941.

On the 1973 Seniority List, marked "Exhibit A", my seniority date reads "4-3-67". It should read "3-4-41".

I enclose and mark "Exhibit B" citation for "twenty-five years unbroken service" dated March 3, 1966.

I enclose and mark "Exhibit C" a Seniority list showing my seniority date as of 7-2-41.

I feel that my seniority should be changed to 1941.

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:

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

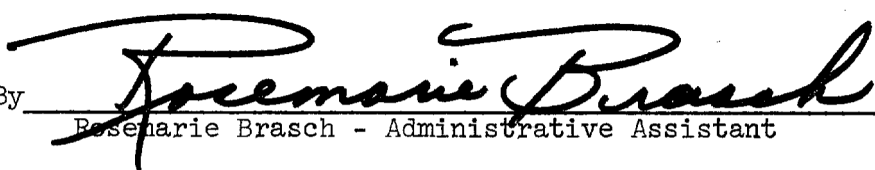
A W A R D

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.