

The Second Division consisted of the regular members and in addition Referee David P. Twomey when award was rendered.

Parties to Dispute: (Dennis A. Valdez, Petitioner
(Southern Pacific Transportation Company (Pacific Lines)

Dispute: Claim of Employes:

Because I was illegally furloughed, I expect to be reinstated and to receive all wages due me. I was furloughed on January 24, 1975.

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 beyond question that the Claim the Petitioner is attempting to assert before this Board was not handled on the property of the Carrier in accordance with Rule 28 of the current agreement of the parties and as required by Section 3, First (i) of the Railway Labor Act. Therefore the claim is barred from consideration by this Division and must be dismissed. See the following Second Division Awards: 7026, 6992, 6874, 6829, 6810, 6555, 6520, 6506, 6496 and 6484.

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
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 14th day of July, 1976.