

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

Award No. 11453  
Docket No. 11093-I  
88-2-85-2-213

The Second Division consisted of the regular members and in addition Referee Peter R. Meyers when award was rendered.

PARTIES TO DISPUTE: (Monty Lee Terry  
(  
(National Railroad Passenger Corporation (Amtrak)

STATEMENT OF CLAIM:

Whether Amtrak's hiring practices in the Carmen craft at their Beech Grove, Indiana Shop violates statutory hiring preferences granted by Section 703 and 704 of the Regional Rail Reorganization Act. That in finding that my right has been violated I should be granted full back pay and seniority rights for the period including June 24, 1983, to the present.

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 employees involved in this dispute are respectively carrier and employees 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.

On July 6, 1981, Claimant was furloughed by Conrail from his Carman position at Beech Grove, Indiana. Claimant subsequently twice applied for employment with Carrier. Carrier did not offer employment to Claimant. Claimant thereafter filed a claim on his own behalf, asserting that by failing to offer him employment, Carrier violated Claimant's statutory right to hiring preference.

This Board has reviewed the evidence in this case, and we find that the procedures are clear and the Claimant did not abide by them. The Claimant did not submit the grievance to any of the designated Carrier officers. In previous cases, this Board has found that the claim must be handled in the usual manner. (See Second Division Award 10921.) This one was not. Hence, the Claim must be dismissed.

A W A R D

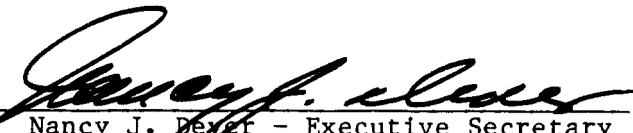
Claim dismissed.

Form 1  
Page 2

Award No. 11453  
Docket No. 11093-I  
88-2-85-2-213

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
Nancy J. Deyer - Executive Secretary

Dated at Chicago, Illinois, this 6th day of April 1988.