

NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

PARTIES TO DISPUTE:

W. C. GEORGE, ET AL

vs.

ILLINOIS CENTRAL RAILROAD COMPANY

**DISPUTE: CLAIM OF EMPLOYES:** The petitioners desire an award of their seniority rights to certain positions assigned to them by order of July 3, 1939, which positions are as follows:

Name	Shift	Position	Time
W. C. George	7 AM to 3 PM	lead car inspector	7 days per week
J. E. Otto	7 AM to 3 PM	job car inspector	7 days per week
C. B. Hill	3 PM to 11 PM	lead car inspector	7 days per week
W. H. Fishel	3 PM to 11 PM	job car inspector	7 days per week

and which positions, the employer, the Illinois Central Railroad Company, by order of August 4, 1939, has sought to deprive them; which order the petitioners allege is violative of their seniority rights.

**FACTS AND POSITION OF PARTIES:** The petitioners are attempting to have their claim decided by this Division of the National Railroad Adjustment Board. The carrier contends that they have not handled their case on the property "in the usual manner" as prescribed in the agreement in effect.

**OPINION OF THE DIVISION:** In order that this Board may assume jurisdiction of a dispute on petition, it must appear that the dispute has been handled in the usual manner in negotiations with the carrier as provided by the statute; and that it is only in case there has been a failure to reach an adjustment in the manner so provided that this Board will review such proceedings. In the instant case, there was no compliance with the statute on the part of petitioners. The usual manner of negotiating with the carrier was not complied with. There was no failure to reach an adjustment "in the usual manner." Petitioners, having failed to pursue the required method of presenting their grievances, which in this case was that provided by the agreement between the carrier and the employees, this Board is without jurisdiction to pass upon petitioners' claim. See Gooch vs. Ogden Union Railway & Depot Company, Award No. 514.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

ATTEST: J. L. Mindling  
Secretary

Dated at Chicago, Illinois, this 31st day of March, 1942.