

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 11907
Docket No. 11686-I
90-2-88-2-185

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

(Thomas A. Regan
PARTIES TO DISPUTE: (
(Consolidated Rail Corporation

STATEMENT OF CLAIM:

The appropriate seniority of a protected employee when returning to his original seniority district after previously being transferred out said seniority district.

FINDINGS:

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

The carrier or carriers and the employee 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 waived right of appearance at hearing thereon.

The matter under review here has been submitted to the Board in the form of a question. There is no specific remedy sought, no monetary compensation and/or damages claimed. Moreover, Claimant is a retired employee and any correction of his seniority date, even if warranted by the facts of the matter, which we do not decide, would be a meaningless act, since names and seniority dates of retired employees are deleted and no longer appear on seniority rosters. Accordingly, the matter is dismissed because it is moot.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 1st day of August 1990.