

Award No. 6922
Docket No. MSX-7298

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

LEROY BASCOMB, INDIVIDUAL

RAILWAY EXPRESS AGENCY, INC.

STATEMENT OF CLAIM: I request a determination as to whether I have been a victim of racial discrimination in the determination of seniority rights as an employe of the Railway Express Agency.

OPINION OF BOARD: The record shows that the alleged dispute covered by this docket is not properly before this Board for the reason that it was not handled "in the usual manner" as provided for in Section 3, First (i) of the Railway Labor Act, as Amended, and as set forth in the rules of the Agreement between The Railway Express Agency, Inc., and the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties to this dispute waived or did not request hearing thereon;

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That in accordance with Opinion, claim is dismissed.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois this 21st day of March, 1955.