

Award No. 12817
Docket No. MS-14580

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Levi M. Hall, Referee

PARTIES TO DISPUTE:

**MRS. MARY L. KETRON
THE TEXAS AND PACIFIC RAILWAY COMPANY**

STATEMENT OF CLAIM:

1. Carrier violated the Clerks' Agreement when on August 6, 1962 it failed and refused to assign Mrs. Mary L. Ketron, senior bidder, to position of Review Analyst Clerk, Auditor Revenues Office, Dallas, Texas. Position of Review Analyst Clerk, was advertised by bulletin of July 21, 1962 and assigned to employ holding junior seniority date to Claimant.

2. That the Carrier now be required to pay to Mrs. Mary L. Ketron one day's pay at \$23.47, commencing with August 6, 1962 and extending for each day position in question remained under the jurisdiction of the Texas and Pacific Railway Company, and Missouri Pacific Railroad, now the Texas Missouri Railroad.

OPINION OF BOARD: The confused and rambling state of the record in this case makes an intelligent evaluation of it impossible and leaves us no other alternative than to dismiss it.

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

That the parties waived oral hearing;

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

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That in the view of the record, the claim must be dismissed.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 31st day of July 1964.