

Award No. 14171
Docket No. TE-15158

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Benjamin H. Wolf, Referee

PARTIES TO DISPUTE:

TRANSPORTATION-COMMUNICATION EMPLOYEES UNION
(Formerly The Order of Railroad Telegraphers)

NEW YORK CENTRAL RAILROAD (NORTHERN DISTRICT)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central Railroad (Canadian District), that:

1. Carrier improperly dismissed Gordon W. Walker, effective Thursday, May 16, 1963.
2. Carrier shall clear the record of Gordon W. Walker and return him to his former position and pay him compensation equal to what he would have earned had he not been unjustly dismissed on Thursday, May 16, 1963.

OPINION OF BOARD: The record shows that the Carrier's highest appeals officer first declined the claim on June 18, 1963.

Proceedings were instituted before this Division by the Organization's letter of July 2, 1964.

Carrier objected to our consideration of the merits on the ground that the claim is barred by Rule 32(f), second Paragraph, since there was no agreement to extend the time limit for institution of proceedings therein provided.

In Award 12718, this Board said of a like rule: "Rule 8(g) is a rule of strict performance. Meet it or be forever barred." See, also, Awards 13253 and 13254. Since the Organization did not institute proceedings here within nine (9) months of the date of Carrier's decision the claim is barred and will be dismissed.

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 the claim is barred.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 28th day of February 1966.