



Award No. 15822

Docket No. MSX-15433

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Nathan Engelstein, Referee

PARTIES TO DISPUTE:

HAROLD MASSIE

RAILWAY EXPRESS AGENCY, INC.

STATEMENT OF CLAIM: Subject: Job Protection or Severance Pay for the employes of REA Express Agency's former Kenova, W. Va. Office. Which was consolidated with the Huntington, W. Va. Office September 1, 1964.

Dispute: We have become unemployed and have no right to exercise our seniority except for extra work at the Huntington, W. Va. Office.

OPINION OF BOARD: The record clearly indicates that the claim which Petitioner is attempting to assert before this Board was not handled on the Carrier's property pursuant to the provisions of the collective bargaining agreement and as required by Section 3, First (i) of the Railway Labor Act and Circular No. 1 of the National Railroad Adjustment Board. Accordingly, the claim is barred from consideration by the Division and will be dismissed.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

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 22nd day of September 1967.

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