



Award Number 17362

Docket Number MS-18237

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BILLY J. HILL

NORFOLK AND WESTERN RAILWAY COMPANY

STATEMENT OF CLAIM: The question involved is whether Robert L. Pauley, an employee of the carrier, and whose seniority date with said carrier is subsequent to the seniority date of claimant, was called to work during a period when claimant was laid off and whether notice of work was sent claimant for work furnished Robert L. Pauley.

OPINION OF BOARD: The evidence of record shows that the claim herein presented has not been handled in the usual manner up to and including the chief operating officer of the carrier designated to handle such disputes as required by Section 3, First (i) of the amended Railway Labor Act, Circular No. 1 of the National Railroad Adjustment Board, and the Agreement on the property. The claim is, therefore, barred.

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 Employee involved in this dispute are respectively Carrier and Employee 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.

A W A R D

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 1969.