



**Award Number 17563**

**Docket Number MS-18164**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

**Gene T. Ritter, Referee**

**PARTIES TO DISPUTE:**

**H. L. GRAHAM AND R. L. BARNES**

**SOUTHERN RAILWAY COMPANY**

**and**

**BROTHERHOOD OF RAILWAY, AIRLINE & STEAMSHIP**

**CLERKS, FREIGHT HANDLERS, EXPRESS AND**

**STATION EMPLOYEES**

**STATEMENT OF CLAIM:** Violation of the current working agreement of prior seniority rights and dates for prior seniority duties.

**OPINION OF BOARD:** This Board is without jurisdiction to decide any dispute between an employee and his Organization.

The record is clear that the claim that the Petitioners are attempting to assert before the Board against the Carrier was not handled on the property of the Carrier in accordance with the provisions of the applicable 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. The claim is, therefore, 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 between the Employees and the Carrier; and

That the claim against the Carrier 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 30th day of October 1969.

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