



Award Number 17967

Docket Number MS-18337

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Arthur W. Devine, Referee

PARTIES TO DISPUTE:

MR. ARTHUR E. DASE

THE CHESAPEAKE AND OHIO RAILWAY COMPANY
(Chesapeake District)

STATEMENT OF CLAIM: That my original seniority date of November 17, 1941 in Group 1 be restored and my seniority date of August 6, 1941 in Group 2 be restored for the purpose of selecting vacation periods.

OPINION OF BOARD: The record is clear that the claim the Petitioner is attempting to assert before the Board has not been handled in accordance with the requirements of Section 3, First (i) of the Railway Labor Act, Circular No. 1 of the National Railroad Adjustment Board and Rule 27 1/2 of the applicable Agreement. The claim, is, therefore, 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.

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 4th day of June 1970.