



Award No. 18034

Docket No. DC-18456

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

David Dolnick, Referee

PARTIES TO DISPUTE:

UNITED TRANSPORTATION UNION

GREAT NORTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim for reinstatement to service with seniority unimpaired and paid for time lost during the period of dismissal for Dining Car Steward Clarence E. Leslie; dismissal as a result of alleged violation of rules and instructions applicable to Dining Car Stewards.

OPINION OF BOARD: The record establishes that Claimant Leslie was dismissed from service on July 15, 1966. Neither the claimant nor the organization, however, made any appeal of that decision within the forty-five (45) day period pursuant to rule 25 of the Controlling Agreement. Claim, therefore, was not timely progressed on the property and is clearly barred from consideration by this Board.

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 be dismissed.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 17th day of July 1970.

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