

 Award No. 18517
Docket No. MS-18971

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Robert A. Franden, Referee

PARTIES TO DISPUTE:

MR. M. S. DOBSON, et al

PENN CENTRAL TRANSPORTATION COMPANY

STATEMENT OF CLAIM: This is to serve notice as required by the rules of the National Railroad Adjustment Board of our intentions to file an ex parte submission on (30 days from the date of this notice) covering an unadjusted dispute between us and the (Penn-Central Railroad) involving the question.

The Carrier violated the employment Stabilization Agreement effective February 7th, 1965 when it denied us protection under the terms of the February 7th Job employment Stabilization Agreement dated 1965.

M. S. Dobson, L. G. Savoy and T. F. Reeves, be compensated in accordance of rule 7-A-1 unjust treatment for all monetary loss sustained and be protected under the terms of the February 7th Job Stabilization Agreement.

We do request an oral hearing.

OPINION OF BOARD: Review of the record in this docket clearly shows that the claim Petitioner is attempting to assert before this Board 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. Therefore, the claim is barred from consideration 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: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of April 1971.