



Award No. 18576
Docket No. MS-19112

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

William M. Edgett, Referee

PARTIES TO DISPUTE:

MARY ELIZABETH BRINDLEY

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

STATEMENT OF CLAIM: Due to consolidation of offices and clerical operation, I feel that my seniority dating of June 19, 1944, should have been dovetailed on the Nashville Division, Group I, District 49 roster dated January 1, 1970, instead of my being given a seniority dating of May 9, 1966, which was the effective date of the consolidation.

OPINION OF BOARD: The Petitioner contends that her seniority dating on Seniority District No. 49 is improper.

The issue presented must necessarily be determined on the basis of the controlling Agreement and in accordance with the interpretation placed upon that Agreement by the parties thereto. Applying this principle, we find the claim to be without merit and it will, accordingly, be denied.

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 Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 28th day of May 1971.

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