

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19736
Docket Number MS-19958

C. Robert Roadley, Referee

(Ruben Z. Maldonado

PARTIES TO DISPUTE: (

(Burlington Northern, Inc.

STATEMENT OF CLAIM: Petitioner seeks a determination by this Board that he is entitled to a reinstatement of his position as an employee of respondent.

OPINION OF BOARD: This dispute is not properly before this Board since it **was** not properly handled in the usual manner as prescribed by Section 3 First (i) of the Amended Railway Labor Act. nor was it handled **pur-**
suant to the rules and procedures of this Board. Accordingly this claim is **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 be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

E. G. Killen
Executive Secretary

Dated at Chicago, Illinois, this 30th day of April 1973.