

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19776
Docket Number MSX-19742

Gene T. Ritter, Referee

(Robert D. Camilli

PARTIES TO DISPUTE: (
(**REA** Express, Inc.

STATEMENT OF CLAIM: On several occasions I requested in writing and by telephone, my annual vacation; now due me of six days, for the year 1971, and was refused on each occasion.

OPINION OF BOARD: Claimant made request for **6** days vacation in 1971 which was denied by Carrier. The record reflects that Claimant, contrary to Rule 11 (**i**) of the involved Agreement, filed this claim directly with this Board and did not file a claim with the Manager of the Santa Rosa Terminal, and, if dissatisfied appeal to the Regional Manager **and** then **t**, the Director, Labor Relations, on the property. Such failure, on the part **o** Claimant, to follow the mandatory provisions of Rule **11(i)** of the involved Agreement leaves this Board no alternative: we are compelled to dismiss the claim because of non-compliance of said Rule.

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.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:


Executive Secretary

Dated at Chicago, Illinois, this '25th day of May, 1973.