

**NATIONAL RAILROAD ADJUSTMENT BOARD**

THIRD DIVISION

Award Number 22502  
Docket Number MSX-21055

George S. Roukis, Referee

**PARTIES TO DISPUTE:** (F. J. Stork  
(REA Express, Inc.

**STATEMENT OF CLAIM:** "This is to **serve** notice as required by the rules of the National Railroad **Adjustment** Board of my intentions to file an **ExParte** submission covering and **unadjusted** dispute between **me** and the **REA** Express involving the question of my vacation **pay**. I worked as Service center **Manager**, Rochester **Minn.** This claim is for \$80.48. Had earned 25 days of vacation pay as Service center Manager year 1973 to be paid in 1974 as of this date was paid only for 23 days.

Filed claim Feb. 1974 **thru** Mr. R. **L.** Baldwin, St. Paul, **Minn.** and to L. L. Nelson Chicago, Ill. for the **amount** of \$80.48.

These are the facts **and in** my opinion an oral hearing should be up to the Union which I had paid into all these years."

**OPINION OF BOARD:** Our review of the record in this case *clearly* shows **that** the claim which petitioner is attempting to assert before this **Board** was **not handled** on the property of the *Carrier in accordance with the requirements* of the applicable collective **bargaining Agreement** as required by Section 3, First **(1)** of the **Railway Labor Act** and Circular No. **1** of this Board. Therefore, the **claim as** described above is barred from consideration by this Division **and** is accordingly dismissed.

**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

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That the claim is barred.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

A.W. Pauha  
Executive Secretary

Dated et Chicago, Illinois, this 31st day of August 1979.