

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **23469**  
Docket Number **MS-23750**

Carlton R. Sickles, Referee

(Jeanne **Robidoux**)

PARTIES TO DISPUTE: (

(National Railroad Passenger Corporation)

STATEMENT OF CLAIM: "This **is** to serve notice, as required by the rules of the National Railroad Adjustment Board of **my** intention to file an **ex parte** **submission** on **June 27, 1980**, covering an **unadjusted** dispute between **me** and The National Railroad Passenger Corporation:

(1) **Corporation** violated Rule 24 **and** other rules of the current **Agreement** when assessed **me** with a letter of reprimand and ordered **me** to reimburse the Corporation **\$196.00** as the result of hearing held on December 6 and 21, **1977**.

(2) Corporation shall now clear the letter of reprimand from my file and **rescind** its order to reimburse the amount of **\$196.00**.

I was improperly charged with Rule '**S**' of The Rules of Conduct of The National Railroad Passenger Corporation **which** reads as follows: '**Employess** must exercise care and economy in the use of Company property and when leaving the service, or upon **demand** by their supervisor, must return property entrusted to their care.' This rule has no bearing whatsoever on the procedures of handling and maintaining money in cash drawer."

OPINION OF BOARD: Petitioner's **Claim** cannot be considered on its merits by this Division of the National Railroad Adjustment Board because it was docketed **with** the Board after the **time** Limits for such action had expired. By agreement dated January 22, **1980** between Petitioner's employer, Amtrak, and her **union**, Brotherhood of Railway and Airline Clerks, the time Limits for submitting the instant Claim were extended to June 1, **1980**. Petitioner formally docketed her Claim with the Board on June **11, 1980** - Ten (10) days Late.

Awards of all divisions of the Board, Legion in number, have held that we are without authority to decide Claims not timely submitted to us.

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**;

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**That** this Division of the Adjustment Board has jurisdiction **over**  
the dispute **involved** herein; and

The **Claim was** not timely filed with the Board.

A W A R D

**Claim dismissed.**

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest: *A. W. Paulson*  
Executive Secretary

**Dated** at Chicago, **Illinois**, this 8th day of December 1981.

