

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 24804  
Docket Number MS-25000

Eckehard Muessig, Referee

PARTIES TO DISPUTE: (K. A. Marr  
(  
(Burlington Northern Railroad Company

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 February 11, 1983 covering an unadjusted dispute between me and the Burlington Northern Railroad involving the following question.

(For the purpose of identification such notice will state the question or claim involved.)

The claim is that I was discharged from my place of employment for the reasons of alcoholism. I feel that alcoholism is a sickness that should be compensated for. If I am unable to work because the BURLINGTON NORTHERN RAILROAD stated that I am an ALCOHOLIC, then I should be compensated for that sickness."

OPINION OF BOARD: The claim under dispute was presented directly to this Board by the Claimant.

The controlling Agreement contains a "time limits on claims and grievances" rule which sets forth time frames and appeal steps to be followed by the parties.

In the instant case, the record is clear that the claim was not submitted in accordance with the provisions of the Agreement. Accordingly, the Board has no jurisdiction to consider the merits of the case.

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 Employee involved in this dispute are respectively Carrier and Employee 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 is barred.

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Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

  
Nancy A. Dever - Executive Secretary

Dated at Chicago, Illinois, this 30th day of April, 1984

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