NATIONAL RAILROAD ADJUSTMENT BOARD

Award Number 25741

THIRD DIVISION Docket Number MS-25562

Robert W. McAllister, Referee

PARTIES TO DISPUTE: (Charles Warren Howard
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(Atchison, Topeka and Santa Fe Railway Company

STATEMENT OF CLAIM:

"1. Is claimant entitled to compensation for not being allowed to exercise displacement rights due to multiple seniority rosters in the Topeka RCAO;

2. Is claimant entitled to an excepted position;

3. Is claimant entitled to a higher rated job;

4. Is claimant entitled to 153 days pay for the difference in his rate and that of a PAD Inspector;

5. Is claimant entitled to compensation for the abolishment of Rule 14;

6. Is claimant entitled to the difference between his lower rated position and that of a higher rated position which he could have held had it not been for the abolishment of Rule 14;

7. Is claimant entitled to senior supervisor pay for breaking himself in as a file clerk beginning February 15, 1981; breaking himself in as a tracing clerk for 45 days beginning March 20, 1981; and for breaking himself in as a rate clerk position for 45 days beginning on April 20, 1981;

8. Is claimant entitled to senior supervisor pay for an additional 157 days for breaking in fellow employees;

9. Is claimant entitled to a rate of pay from February 15, 1981, to April 20, 1981, for having not been able to bid on a rate position because of the 'rates school' requirement;

10. Is claimant entitled to compensation for a lower pay rate while filling an excepted position;

11. Is claimant entitled to 37 days compensation for being diverted from Waybill Control;

12. Is claimant entitled to severance pay;

13. Is claimant required to follow normal grievance/dispute procedures."

OPINION OF BOARD: This Board finds the reasoning and findings set forth in Award 25712 are applicable to the facts of this dispute. For these reasons, we affirm that this Claim was not handled in the usual manner as provided in the controlling Agreement and, accordingly, did not comply with Section 3, First (i) of the Railway Labor Act or Circular No. 1 of the National Railroad Adjustment Board.

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 Employes involved in this dispute are respectively Carrier and Employes 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.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 27th day of November 1985.