

Award No. 6511
Docket No. DC-6804

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

UNITED TRANSPORT SERVICE EMPLOYES
SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: This claim is filed on behalf of Chief Cook Ervin Quarttlebaum employed by the Southern Railway System Dining Car Department who received a suspension of two trips on the charge of permitting a waiter to remove from kitchen Company supplies on Diner 3309, Train 37, into New Orleans, November 24, 1952.

Claim is for said discipline to be removed from Mr. Quarttlebaum's service record and that he be reimbursed for all time lost in connection with Carrier's action.

OPINION OF BOARD: The record shows that the dispute covered by this docket is not properly before this Board for the reason that it was not handled "in the usual manner" as provided for in Section 3, First (i) of the Railway Labor Act, as amended.

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 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 is dismissed in accordance with the Opinion.

AWARD

Claim dismissed without prejudice.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois this 11th day of March, 1954.