

Award No. 10441

Docket No. MS-12565

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

JOSEPH P. SCHRANZ, JR.

VS

**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC
RAILROAD COMPANY**

AND

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

STATEMENT OF CLAIM: I was layed off from my position at Galewood, Illinois by Mr. Stark, on September 12, 1960. Nothing was said to me on September 9, 1960 as to my being layed off, but it was the last day I worked. On September 12, 1960, I filed my name and address as well as my notice of availability for work. On September 13, 1960, about 2:00 P. M. I was hired by the Wabash Railroad, thru a lead from the railroad employment office, at 226 W. Jackson Blvd., after my inquiry in said office about employment. About 2:30 P. M. that same day, September 13, 1960 Mr. Stark called my home, etc.

OPINION OF BOARD: The record shows that Claimant neither handled his claim in the usual manner up to and including the Chief Operating Officer of the Carrier designated to handle such dispute prior to submission to this Board, nor did he handle his grievance in conformity with Article V, August 21, 1954 Agreement. Consequently, we have no alternative than to dismiss the claim.

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 Employee involved in this dispute are respectively carrier and employe 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 dispute was not properly handled on the property.

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AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 21st day of March 1962.