

Award No. 10844
Docket No. MS-13385

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

JAMES BARON

CHICAGO UNION STATION COMPANY

STATEMENT OF CLAIM: Claim for overtime against the Chicago Union Station. The question involved is that of overtime after 40 hours. I am in receipt of 3 checks dated Nov. 30, Dec. 15 & Dec. 26 for \$36.26, \$199.41 & \$126.90. During the period Dec. 18 & 19 there was no provision for overtime, inasmuch as I had been working 8 hours daily from Dec. 13.

OPINION OF BOARD: The record in this docket shows, among other things, that Claimant neither handled his claim in the usual manner as provided in Section 3, First (i) of the Railway Labor Act, as amended, nor in conformity with the effective time limit provisions embodied in Article V of the August 21, 1954 Agreement. Consequently, we have no alternative but to dismiss the claim.

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 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 dispute was not handled on the property prior to its submission to this Board.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 11th day of October 1962.