

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

IRENE THOMAS

BALTIMORE & OHIO CHICAGO TERMINAL RAILROAD
COMPANY

STATEMENT OF CLAIM: To have seniority restored to Irene Thomas — Baltimore and Ohio Chicago Terminal Railroad Co. Upon bidding on position advertised on December 1, 1961, was informed by office personnel that I am no longer on service roster. Had not been informed about reporting annually to the Superintendent, but have kept Lodge dues up to date, thinking this was sufficient to preserve seniority.

OPINION OF BOARD: The record herein shows that claimant's position was abolished effective October 31, 1957, at which time she did not exercise displacement rights to any position available to her by reason of her seniority; neither did she submit bids to positions subsequently bulletined, until the position of Bill Clerk was bulletined on December 1, 1961, at East Chicago, at which time she no longer had any clerical seniority. By her failure to comply with Rule 37 (f) of the applicable agreement and renew her address in November 1959, she was considered out of service and her name was not included on the 1960 seniority roster.

The record also shows that the claim herein was not handled with the Carrier on the property at any time in compliance with the Railway Labor Act and the agreement between the parties. It consequently is barred and not properly before the Board.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived 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.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 19th day of December 1962.