

Award No. 15012

Docket No. MS-15658

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

John H. Dorsey, Referee

PARTIES TO DISPUTE:

JOHN H. DAVIS

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

STATEMENT OF CLAIM: Protest of Clerk J. H. Davis, Dallas-Miller Yard, against the unwarranted and unjust dismissal of Clerk J. H. Davis from the service March 10, 1964, and claim that Clerk J. H. Davis should be returned to service with seniority unimpaired and paid for all time lost March 10, 1964, forward until he is returned to service.

OPINION OF BOARD: The record shows that the alleged Claim was not handled with Carrier as required by the provisions of the applicable Agreement, the Railway Labor Act, and the Rules of Procedure of the National Railroad Adjustment Board. It will, therefore, be dismissed.

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 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 8th day of December 1966.