



Award No. 18081
Docket No. MS-18443

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Paul C. Dugan, Referee

PARTIES TO DISPUTE:

FRANCIS V. O'CONNOR

**PENN CENTRAL TRANSPORTATION COMPANY
(Northeastern Region — Except Springfield Division)**

STATEMENT OF CLAIM: Employee claims that he was improperly removed from the Carrier's seniority roster, that his name should be reinstated thereto and that he should be reimbursed for time lost as a result of such improper removal.

OPINION OF BOARD: The evidence of record shows that the claim submitted to this Board is not the one that was handled on the property. Therefore, there has been failure to comply with Section 3, First (i) of the Railway Labor Act, as amended, Circular No. 1 of the National Railroad Adjustment Board, and Article V of the National Agreement dated August 21, 1954. The claim is, therefore, barred and will be dismissed.

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 barred.

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 September 1970.

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