

Award No. 19179
Docket No. MS-19488

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

William M. Edgett, Referee

PARTIES TO DISPUTE:

GENE H. HARRISON, et al

THE ATCHISON, TOPEKA AND SANTA FE

RAILWAY COMPANY — Western Lines —

STATEMENT OF CLAIM: This is to serve notice, as required by the rules of the National Railroad Adjustment Board, of our intention to file an ex parte submission on September 20, 1971 covering an unadjusted dispute between us and the Atchison, Topeka and Santa Fe Railroad involving the question:

Transferring of clerical work from the Mechanical Dept. to the Station Dept. and Showing discriminatory handling of the clerks (Mechanical) affected to wit:

Allowing some points (Slaton, Texas & Wellington, Kansas), to dovetail their Mechanical seniority in on the Station roster, but only a few at Amarillo and Waynoka to do this, and with a May — 1965 date, (following last protected employe on Station roster), thus, making these employes senior on the station roster to those formerly senior to them on the Mechanical roster. All over handling was inconsistent. All of our union officials are now, or formerly, from the Station Dept. We resolve to consolidate Station & Mecl. rosters dovetailing seniority.

OPINION OF BOARD: Review of the record in this docket clearly shows that the claim Petitioner is attempting to assert before this Board was not handled on the property of the Carrier in accordance with the provisions of the applicable collective bargaining agreement and as required by Section 3, First (i) of the Railway Labor Act and Circular No. 1 of the National Railroad Adjustment Board. Therefore, the claim is barred from consideration by the division and will 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 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 must be dismissed.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 12th day of May 1972.