

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19736
Docket Number MS-19958

C. Robert Roadley, Referee

PARTIES TO DISPUTE: (Ruben Z. Maldonado
(Burlington Northern, Inc.

STATEMENT OF CLAIM: Petitioner seeks a determination by this Board that he is entitled to a reinstatement of his position as an employee of respondent.

OPINION OF BOARD: This dispute is not properly before this Board since it was not properly handled in the usual manner as prescribed by Section 3 First (i) of the Amended Railway Labor Act, nor was it handled pursuant to the rules and procedures of this Board. Accordingly this claim is 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 be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: E. G. Killen
Executive Secretary

Dated at Chicago, Illinois, this 30th day of April 1973.