

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19776
Docket Number MSX-19742

Gene T. Ritter, Referee

(Robert D. Camilli
PARTIES TO DISPUTE: (
(REA Express, Inc.

STATEMENT OF CLAIM: On several occasions I requested in writing and by telephone, my annual vacation; now due me of six days, for the year 1971, and was refused on each occasion.

OPINION OF BOARD: Claimant made request for 6 days vacation in 1971 which was denied by Carrier. The record reflects that Claimant, contrary to Rule 11 (i) of the involved Agreement, filed this claim directly with this Board and did not file a claim with the Manager of the Santa Rosa Terminal, and, if dissatisfied appeal to the Regional Manager and then to the Director, Labor Relations, on the property. Such failure, on the part of Claimant, to follow the mandatory provisions of Rule 11(i) of the involved Agreement leaves this Board no alternative; we are compelled to dismiss the claim because of non-compliance of said Rule.

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 be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

E. A. Killen
Executive Secretary

Dated at Chicago, Illinois, this 25th day of May, 1973.