

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21510
Docket Number MS-21593

Robert M. O'Brien, Referee

PARTIES TO DISPUTE: (Bette Bothun
(
(Burlington Northern Inc.

STATEMENT OF CLAIM: This is to serve notice, as required by the rules of the National Railroad Adjustment Board, of my intention to file an ex parte submission on an unadjusted dispute between me and the Burlington Northern, Inc. involving the question of:

The loss of my guaranteed wage as per the Merger Agreement between the Great Northern, Pacific and Burlington Lines, Inc. of May 1970.

OPINION OF BOARD: The Board has carefully studied the record before us, and we conclude therefrom that the claim Petitioner is attempting to assert herein was not handled on the property as required by the provisions of the applicable Agreement as mandated by Section 3, First (i) of the Railway Labor Act and by Circular No. 1 of the National Railroad Adjustment Board. Accordingly, inasmuch as Petitioner failed to progress the instant claim in accordance with the prescribed procedure, the claim is barred from consideration and must be dismissed as a result.

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

Claim not progressed on the property as required by the Railway Labor Act.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:


Executive Secretary

Dated at Chicago, Illinois, this 29th day of April 1977.