

NATIONAL RAILROAD ADJUSTMENT BOARD

Award Number 21600
Docket Number MS-21836

THIRD DIVISION

Robert W. Smedley, Referee

PARTIES TO DISPUTE: (Jerome P. Tressa
(
(The Washington Terminal Company

STATEMENT OF CLAIM: That the Washington Terminal Company has unjustly charged me in excess of \$140.00 for a chain saw missing from the job site.

OPINION OF BOARD: An examination of the record in this case clearly shows that the claim which has been presented to this Board for resolution has never been filed or processed on the property by or on behalf of claimant.

Such handling is completely inconsistent with the requirements of Section 3, First (i) of the Railway Labor Act and Circular No. 1 of the National Railroad Adjustment Board. We are, therefore, barred from considering the merits and the case must be dismissed for lack of jurisdiction.

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 Employes involved in this dispute are respectively Carrier and Employes 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.

A W A R D

Claim is dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. W. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 30th day of June 1977.