

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22540
Docket Number MSX-21205

George S. Roukis, Referee

PARTIES TO DISPUTE: (Russell G. Anderson
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(REA Express, Inc.

STATEMENT OF CLAIM: "This is to serve notice, as required by the rules of the National Labor Adjustment Board, of my intention to file an ex parte submission on March 13, 1975, covering an unadjusted dispute between the Railway Express Agency (REA) and me involving the question:

Whether the Railway Express Agency terminated my employment in violation of law and the Union contract?"

OPINION OF BOARD: Our review of the record in this case clearly shows that the claim which petitioner is attempting to assert before this Board was not handled on the property of the Carrier in accordance with the requirements of the applicable collective bargaining Agreement as required by Section 3, First (i) of the Railway Labor Act and Circular No. 1 of this Board. Therefore, the claim as described above is barred from consideration by this Division and is accordingly 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

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That the claim is barred.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: *A.W. Paulos*
Executive Secretary

Dated at Chicago, Illinois, this 28th day of September 1979.