

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23469
Docket Number MS-23750

Carlton R. Sickles, Referee

PARTIES TO DISPUTE: (Jeanne Robidoux
(National Railroad Passenger Corporation

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 June 27, 1980, covering an unadjusted dispute between me and The National Railroad Passenger Corporation:

(1) Corporation violated Rule 24 and other rules of the current Agreement when assessed me with a letter of reprimand and ordered me to reimburse the Corporation \$196.00 as the result of hearing held on December 6 and 21, 1977.

(2) Corporation shall now clear the letter of reprimand from my file and rescind its order to reimburse the amount of \$196.00.

I was improperly charged with Rule 'S' of The Rules of Conduct of The National Railroad Passenger Corporation which reads as follows: 'Employess must exercise care and economy in the use of Company property and when leaving the service, or upon demand by their supervisor, must return property entrusted to their care.' This rule has no bearing whatsoever on the procedures of handling and maintaining money in cash drawer."

OPINION OF BOARD: Petitioner's Claim cannot be considered on its merits by this Division of the National Railroad Adjustment Board because it was docketed with the Board after the time limits for such action had expired. By agreement dated January 22, 1980 between Petitioner's employer, Amtrak, and her union, Brotherhood of Railway and Airline Clerks, the time limits for submitting the instant Claim were extended to June 1, 1980. Petitioner formally docketed her Claim with the Board on June 11, 1980 - Ten (10) days late.

Awards of all divisions of the Board, legion in number, have held that we are without authority to decide Claims not timely submitted to us.

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;

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That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

The Claim was not timely filed with the Board.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: *A. W. Paulson*
Executive Secretary

Dated at Chicago, Illinois, this 8th day of December 1981.

