

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award Number 23917
Docket Number MS-24398

PARTIES TO DISPUTE: (James F. Walsh
(Consolidated Rail Corporation

STATEMENT OF CLAIM: "To collect Title V wages.

When I returned from the Military Service in March of 1977 to continue my employment with the Erie Lackawanna, it had become part of Conrail. At this time I was never informed about Title V or any other labor agreements by Conrail. The first information I received from Title V was a letter dated July 14, 1980, showing the amount of protection. After this date, the slips I received with my paycheck concerning Title V showed the hourly rate of a laborer not a carpenter."

OPINION OF BOARD: A review of the record discloses the claim is predicated on Section 507 of Title V of the Regional Rail Reorganization Act of 1973, as amended, which provides for the appropriate machinery for the resolution of any dispute involving the interpretation or application thereof and by Agreement dated January 3, 1978, such Adjustment Board known as Special Board of Adjustment No. 880 was established between the Carrier and the Labor Organizations.

This Board finds that such procedures established and accepted by the parties themselves for resolving disputes under Section 507 of Title V of the Regional Rail Reorganization Act of 1973, as amended, should be respected and disputes arising thereunder must be handled by that Special Board of Adjustment.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employee involved in this dispute are respectively Carrier and Employee 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.

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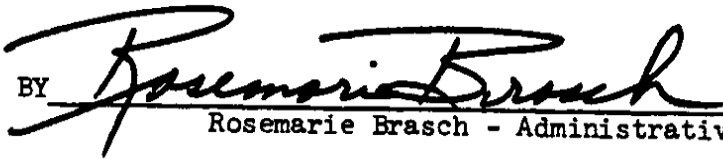
A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Acting Executive Secretary
National Railroad Adjustment Board

BY



Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 8th day of June 1982.