

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 25510
Docket Number MS-24762

Josef P. Sirefman, Referee

PARTIES TO DISPUTE: (Richard A. Livingston
(
(Delaware and Hudson Railway Company

STATEMENT OF CLAIM:

"Restoration of my seniority and one day's pay for each and every day I am being held from my former position, Crew Dispatcher with the Delaware and Hudson Railroad for the past twelve years."

OPINION OF BOARD: A complete review of record before this Board establishes that Claimant Richard A. Livingston resigned from the Carrier's Service on October 12, 1980. In view of this resignation there is no basis for the claim.

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 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

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: 
Nancy J. Leever - Executive Secretary

Dated at Chicago, Illinois, this 13th day of June 1985.