

CORRECTED

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 26330
Docket Number MS-25945

Paul C. Carter, Referee

PARTIES TO DISPUTE: (James A. Murphy
(
(National Railroad Passenger Corporation (AMTRAK)

STATEMENT OF CLAIM:

"1. That the carrier violated the agreement in not assigning proper seniority date;

2. That the carrier violated the agreement in not answering my claim within the time limits;

3. That I shall be compensated for all monetary losses sustained."

OPINION OF BOARD: The record shows that the issues before the Board in the present case were settled by agreement on the property between the designated representative of the collective bargaining unit representing the craft in which Claimant was employed at the time of the occurrence involved and an appropriate appeals officer of the Carrier. The adjustment of the dispute on the property by the designated representative of the Organization and the appropriate appeals officer is binding on all parties and leaves nothing for the Board to decide. (Third Division Awards Nos. 22458, 11563, 7061; First Division Award No. 23083). The Claim will be 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

That the Claim be dismissed.

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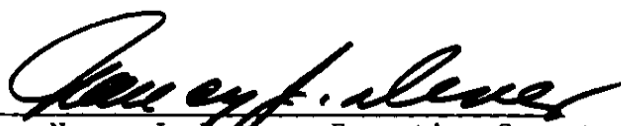
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Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 8th day of June 1987.