Form 1   NATIONAL RAILROAD ADJUSTMENT BOARD
                        THIRD DIVISION

Award No. 41602
Docket No. MS-41200
13-3-NRAB-00003-100053

The Third Division consisted of the regular members and in addition Referee Robert E. Peterson when award was rendered.

(Cheri Dietrich
PARTIES TO DISPUTE: (
(Soo Line Railroad Company

STATEMENT OF CLAIM:

"Carrier violated Rule 7 (a) and (g) and Rule 8 of the TCU Agreement, along with any other pertinent rules and agreements not specifically stated herein, when the Carrier improperly disqualified Ms. Cheri Dietrich, hereafter referred to as Claimant, on March 17, 2008, from the position of Accounting Service Representative, Position No. 90015, as advised on by Award Bulletin No. 2-4A, dated March 17, 2008, in which a junior employee was awarded said position with a seniority date in aforementioned seniority district is 10/13/86. (Sic)

Carrier shall now be required to immediately award Claimant the aforementioned Accounting Service Representative Position 90015, and compensate Claimant eight (8) hours at the time and one-half rate for each and every workday, commencing on March 17, 2008, and continuing until Claimant is awarded aforementioned position."

FINDINGS:

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

The Board carefully reviewed the record before it and has concluded that the claim is without merit.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 24th day of April 2013.