

PUBLIC LAW BOARD NO. 1582

PARTIES) THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY  
TO )  
DISPUTE) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

STATEMENT OF CLAIM:

1. Carrier's decision to remove former Texas Division Trackman James W. Jones, Jr., from the seniority roster, effective June 15, 1988 was improper.
2. Accordingly, Carrier should be required to reinstate Claimant Jones seniority and compensate him for all wages lost from June 15, 1988.

FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

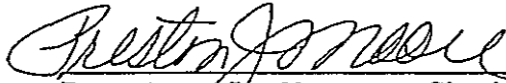
In this dispute the claimant was notified by letter dated June 15, 1988 that his name was being removed from the Northern Division Trackmen's Seniority Roster due to his failure to comply with Rules 3(c), Maintenance of Way Agreement of January 1, 1984, account failing to place himself within 7 days after being displaced on June 6, 1988 as Trackman, Stephenville Section.

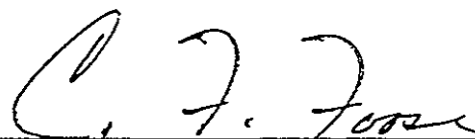
The Board has reviewed the evidence of record and finds this claim is barred by the provisions of Rule 14(a)(1) in that the claimant was notified by letter dated June 15, 1988, and the first appeal therefrom was in excess of one year thereafter. Section (a)(1) requires that the claim be filed within 60 days.


Under the circumstances herein the claim will be dismissed.

AWARD: Claim dismissed.

*Dated at Chicago, Illinois  
January 29, 1990*

  
Preston J. Moore, Chairman

  
Union Member

  
Carrier Member