

SPECIAL BOARD OF ADJUSTMENT 374

Brotherhood of Railway and Steamship Clerks, Freight Handlers,  
Express and Station Employees

and

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM:

System Docket No. 223 - Altoona Heavy Repair Case No. 1764 -  
"Claim of the System Committee of the Brotherhood that:

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, except as amended, particularly Rules 2-A-3 (c), 3-A-1 (a), and (c), 3-B-1 (a), and 3-F-1, when G. F. Green was permitted to displace E. G. Liebegott from position of Shipper and Receiver, Symbol No. SR-24, a Group 1 position.

(b) E. G. Liebegott and all other employees adversely affected be compensated for all monetary loss beginning June 12, 1957, until adjusted. (Docket 223)"

FINDINGS:

Carrier's Manager, Labor Relations denied the claim covered by Organization's Docket No. CL-11362 in a letter dated March 20, 1958.

Organization did not institute proceedings on the claim before the Third Division, National Railroad Adjustment Board until June 1, 1959 -- clearly more than the one year limit stipulated in Rule 7-B-1 (i). It is now barred.

AWARD:

Claim dismissed.

Signed this 12th day of December, 1961.

s/ Edward A. Lynch  
E. A. Lynch, Chairman

s/ A. E. Myles,  
A. E. Myles, Carrier Member

s/ A. B. Seward  
A. B. Seward, Employee Member