FORM 1
NATIONAL RAILROAD ADJUSTMENT BOARD
FIRST DIVISION

Award 21 870
Docket 42 665

PARTIES ( Vincent E. Gallagher and Joseph Fagan
TO 
DISPUTE ( New Hope and Ivyland Railroad

STATEMENT OF CLAIM: "The New Hope and Ivyland Railroad, a class #2 common carrier,
violeted the following sections of the Railway Labor Act.

"UNDER HEADING GENERAL PURPOSES

Items 2-3-4 & 5

" UNDER HEADING OF GENERAL DUTIES

Items 1-2-3-4-6- & 8"

FINDINGS: The First Division of the National Railroad Adjustment Board,
upon the whole record and all the evidence, finds that the
parties herein are carrier and employe within the meaning of the Railway
Labor Act, as amended, and that this Division has jurisdiction.

Hearing was waived.

This is a protest against the Carrier's termination of Claimants' employe
relationship, allegedly in violation of the Railway Labor Act, as amended.

The Petitioner cites Section 2, First, Second, Third and Fourth of the Rail-
way Labor Act, as amended, as controlling the disposition of the matter under
complaint. The provisions of this portion of the Railway Labor Act are ad-
ministered by the National Mediation Board, therefore, disputes involving
those provisions are referable to that Board or in appropriate cases, to the
Courts.

The jurisdiction of this Division of the National Railroad Adjustment Board is
limited by Section 3, First (i) of the Railway Labor Act, as amended, to disputes
growing out of grievances or out of the interpretation or application of agree-
ments between carriers and their employes. There is no contractual agreement
between the parties covering the crafts involved, consequently, there is no
basis for proceeding before this Board.

AWARD: Protest dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
BY ORDER OF FIRST DIVISION.

DATED AT CHICAGO, ILLINOIS
THIS 8th DAY OF March 1972.

ATTEST: E. A. Killean
Executive Secretary