

NATIONAL RAILROAD ADJUSTMENT BOARD**THIRD DIVISION**

Jerry L. Goodman, Referee

PARTIES TO DISPUTE:**BROTHERHOOD OF RAILROAD SIGNALMEN
NORFOLK AND WESTERN RAILWAY COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Western Region of the Norfolk and Western Railway Company (former Wabash Railroad Company):

On behalf of Mr. John E. Burkhardt, Signal Maintainer at Forrest, Illinois, that he be reinstated with full rights to his former position and paid for all time lost because penalty of dismissal from service on March 31, 1967, was far too severe in light of the circumstances and his 19 years of loyal service. (Carrier's File: 101.22)

OPINION OF BOARD: The record in this case indicates that a conference between the Organization and the highest officer of the Carrier designated to handle such matters was never held in connection with this claim.

The holding of such a conference is a jurisdictional requirement. See Awards 16370, 15617 (McGovern), 15606 (Dorsey), 15486 (Kabaker), 15400, 15330 (House), 15212 (Kabaker), 15159 (Engelstein), 14876 (Ritter), 14863 (Ives), 14808 (no referee), 12499 (Wolf).

The claim must, therefore, 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.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

**ATTEST: S. H. Schulty
Executive Secretary**

Dated at Chicago, Illinois, this 19th day of December 1968.

Keenan Printing Co., Chicago, Ill.

Printed in U.S.A.