

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 24801
Docket Number MS-24958

Eckehard Muessig, Referee

PARTIES TO DISPUTE: (Henry L. Labno
(
(Chicago and North Western Transportation Company

STATEMENT OF CLAIM: "This is to serve notice as required by the rules of the National Railroad Adjustment Board, of my intention to file an ex parte submission on April 10, 1983, covering an unadjusted dispute between the Chicago and North Western Transportation Company and the undersigned involving the questions:

- 1.) Restoration to my former Chief Clerk (lj) position from which I was removed on September 27, 1979, and
- 2.) That I receive full compensation for all time lost as a result of the above.

OPINION OF BOARD: The Claimant herein was terminated from his assigned position of Chief Clerk. Subsequent to a hearing held on January 21, 1982, the termination was affirmed by the Carrier. It followed that the Claimant progressed his appeal to this Board.

The Board, in great detail, has reviewed the record in its entirety and finds that the Claimant has failed to satisfy the Rules of Procedure contained in Circular No. 1, and more specifically, the requirement that a conference be held prior to the submission of a dispute to the Board. Accordingly, the Board has no jurisdiction to consider the merits of the case.

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; and

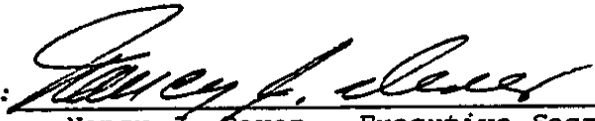
That the claim is barred.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 30th day of April, 1984

