

NATIONAL RAILROAD ADJUSTMENT BOARD
FOURTH DIVISIONAward Number 3946
Docket Number 4041

PARTIES TO DISPUTE: Russell L. Kirchoff
Chicago, Milwaukee, St. Paul and Pacific Railroad Company

STATEMENT OF CLAIM: Fired November 30, 1978 per phone call from Harold Mahoney with a letter stating the same.

OPINION OF BOARD: It is quite clear that the claim submitted to the Board on April 21, 1982 was not filed and progressed in the usual manner on the property as required under Section 3, First (i) of the Railway Labor Act, as amended. The claim must be dismissed without consideration of the merits.

FINDINGS:

The Fourth Division of the Adjustment Board, upon the whole record and all the evidence, finds 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.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.


The parties to said dispute were given due notice of hearing thereon.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Fourth Division

ATTEST:



Nancy J. Dever
Acting Executive Secretary

Dated at Chicago, Illinois, this 9th day of November 1982.