

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

**AMERICAN TRAIN DISPATCHERS ASSOCIATION**

**CUMBERLAND & PENNSYLVANIA RAILROAD CO.**

**STATEMENT OF CLAIM:** "(a) Claim of the Committee for monetary losses sustained by M. C. Wright, Train Dispatcher, Cumberland & Pennsylvania Railroad Company, as a result of the carrier abolishing position of First Extra Dispatcher which position Rule 4-(a) of the current schedule agreement requires to be maintained.

"(b) Claim of the Committee that the carrier is violating the provisions of the existing schedule agreement in reassigning to persons not covered by the Agreement, work which First Extra Dispatcher B. V. Mullen (whose position is covered by the Agreement) had performed during six of his eight hours of duty, which resulted in the carrier abolishing Mr. Mullen's position who, on account of seniority, displaced regular second trick dispatcher M. C. Wright.

"(c) That the position of First Extra Dispatcher be restored."

**FINDINGS:** That Third Division of the Adjustment Board finds that:

The dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party.

No hearing thereon has been had, and under date of September 16, 1938, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case.

**AWARD**

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 28th day of September, 1938.