

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**CANADIAN NATIONAL RAILWAYS**

**STATEMENT OF CLAIM:** "Claim of the System Committee of the Brotherhood that the Carrier has violated and continues to violate the agreement of December 1, 1934, when on December 31, 1937, it nominally abolished the position of Rate Clerk at Louisiana Street Freight Office, Buffalo, N. Y., and assigned the duties thereof to an employe not covered by the 'Scope' of the agreement and to lower rated employes, also that the Carrier be now required to re-establish the position of Rate Clerk, rate \$150.20 per month, and to compensate all employes involved in or affected by the actions of the Carrier for all monetary losses."

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the carrier and the employes involved in this dispute are respectively carrier and employes 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;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

Hearing thereon has been held but not concluded. Under date of March 25, 1939, the parties jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

**AWARD**

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 30th day of March, 1939.