

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

---

**PARTIES TO DISPUTE:**

**AMERICAN TRAIN DISPATCHERS ASSOCIATION**

**LOUISVILLE & NASHVILLE RAILROAD COMPANY**

**STATEMENT OF CLAIM:** "Claim by the American Train Dispatchers Association, representing Train Dispatchers in the employ of the Louisville & Nashville Railroad Company, that the positions of assistant chief dispatcher in the Birmingham, Alabama, dispatching office were without due process abolished by the carrier and the work theretofore performed by such assistant chief dispatchers was assigned and is being performed by employees other than those covered by the Train Dispatchers' Agreement.

It is the claim of the General Committee that the positions of assistant chief dispatcher be restored and filled in accordance with the rules of the agreement between the parties."

**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 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;

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

That hearing thereon has been held and concluded. Under date of October 28, 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 1st day of November, 1939.