

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

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

**CHICAGO AND NORTH WESTERN RAILWAY COMPANY**

**STATEMENT OF CLAIM:** "Claim of the System Committee of the Brotherhood that the Carrier violated the seniority rights of Miss Lillian Cassell when on or before May 1, 1938, its Officers refused to permit Miss Cassell to displace a junior employe occupying position 315-7 Payroll Clerk, \$5.40 per day and later refused to permit Miss Cassell to displace a junior employe occupying position 61-7, Bill Clerk, \$5.15 per day, both located in office of Division Accountant, Chicago, Ill.,—also

"Claim that Carrier be now required to permit Miss Cassell to exercise her displacement rights to one of the aforementioned positions, first preference being claimed on position 315-7, Payroll Clerk, and that Miss Cassell be reimbursed for monetary losses suffered by Carrier's actions."

**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 employe involved in this dispute are respectively carrier and employe 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 hearing thereon has been held and concluded. Under date of November 21, 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**

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Third Division

**ATTEST: H. A. Johnson**  
Secretary

Dated at Chicago, Illinois, this 6th day of December, 1939.