

Award No. 2233
Docket No. CL-2386

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**
NORTHERN PACIFIC TERMINAL COMPANY OF OREGON

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that:

(1) Carrier violated the Clerks' Agreement when on January 16, 1943, it created a new position and assigned clerical work to an employe not covered by said agreement, and failed and refused to assign such clerical work to employes holding seniority rights thereto, and

(2) That senior qualified clerk shall now be assigned to said position and be paid Assistant Yardmaster's rate for each day's work performed by the Assistant Yardmaster assigned to said position, and

(3) That all employes involved or affected by this agreement violation be compensated for all wage loss sustained.

FINDINGS: The 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; and

That no hearing thereon has been held, and under date of July 16, 1943, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 26th day of July, 1943.