

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

THE TEXAS MEXICAN RAILWAY COMPANY

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

(a) The carrier is violating the Clerk's Agreement at Benavides, Texas by assigning clerical work to employees not covered by the Clerk's Agreement, and in refusing to assign such clerical work to employees holding rights and working under the Clerk's Agreement. Also

(b) Claim for all losses sustained by employees involved in, or affected by this agreement violation."

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 the complainant party.

That no hearing thereon has been held and under date of December 18, 1940, 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 14th day of January, 1941.