

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**DELAWARE, LACKAWANNA AND WESTERN RAILROAD
COMPANY**

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

(1) The Carrier violated, and continues to violate, the Agreement existent between the respective parties when, subsequent to the nominal abolishment of two positions in the Black Rock Office, on April 1, 1941, it distributed work to, (a) an excepted, supervisory official, (b) to employees of other seniority districts, (c) to lower rated employees in the same district; and

(2) That the Carrier be required to restore said work to employees entitled to same, also that rates be adjusted to conform with adjusted duties; and

(3) That all employees adversely affected by Carrier's actions shall be reimbursed for all monetary losses sustained retroactive to April 1, 1941.

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 November 5, 1942 the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing 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 27th day of November, 1942.