

Award No. 4519
Docket No. CL-4719

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

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

(a) The Carrier violated rules of the Clerk's Agreement and the Special Memorandum of Agreement, dated April 1, 1944, when on April 16th, 1948, it cancelled bulletin dated April 8th, 1948, advertising for bids the position of Clerk, Superintendent's Office, Rate \$301.62 per month, and that

(b) The Carrier did further violence to the afore-mentioned agreements when it issued bulletin dated April 16th, 1948, advertising the same position at the rate of \$283.12 per month and that

(c) Mr. Vernon A. Selseth, senior, qualified applicant for the position as bulletined April 8th, 1948, shall now be made whole for all wage loss suffered as a result of the Carrier's violation of the applicable agreements.

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; and

That no hearing thereon has been held, and under date of August 4, 1949, the complainant party addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 9th day of August, 1949.