

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF SLEEPING CAR PORTERS

THE PULLMAN COMPANY

STATEMENT OF CLAIM: "For and in behalf of Webster Grayson who was formerly employed by the Pullman Company as a porter operating out of the district of Seattle, Washington, because of the discharge of Webster Grayson from the service of the Pullman Company in said district, unjustly and without sufficient reason, on November 4, 1937 and for restoration of Webster Grayson to his former position as a porter in the Seattle, Washington District without loss of seniority and with pay for all time lost by him by reason of such discharge."

STATEMENT OF FACTS: Webster Grayson, employed by the Pullman Company as a sleeping car porter, Seattle District, was assigned to service as porter on tourist car 2117, train 458, leaving Seattle at 4:20 P. M., May 25, 1937, with a party of passengers enroute to Oakland, California.

While enroute, midnight or later, May 25-26, a passenger in car 2117 accused Grayson of improper conduct and resultant actions caused the Pullman Conductor to immediately relieve Grayson from duty and substitute a porter from a deadhead car on the same train, after which Grayson was escorted to another car in the train.

Grayson did not report for service, nor did he make report to the District Superintendent concerning the difficulty on car 2117, May 25-26, until October 12, 1937, when he was advised by the District Superintendent that hearing would be held November 4, 1937, on the complaint concerning his conduct on car 2117 leaving Seattle, May 25, 1937.

Hearing was held November 4, 1937, following which Grayson was formally notified his services would not hereafter be required.

Appeals were accorded in compliance with the provisions of the Agreement effective October 1, 1937.

OPINION OF BOARD: There is ample evidence of record of convincing character to support the action of the Carrier in dispensing with Grayson's service.

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 the evidence of record discloses no grounds for disturbing the action of the Carrier.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 19th day of May, 1938.