

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 G. W. Wortham who is now and for a number of years past has been employed by The Pullman Company as a porter operating out of the Denver, Colorado District. Because The Pullman Company did, under date of July 26, 1941, discipline Porter Wortham by giving him an actual suspension of ten (10) days on charges unproved; which action was unjust, unreasonable and in abuse of the Carrier's discretion. And further, for the record of Porter Wortham to be cleared of the charge in this case and for him to be reimbursed for pay lost by virtue of the actual suspension of ten (10) days.

STATEMENT OF FACTS: G. W. Wortham, employed by the Pullman Company as a porter, operating out of the Denver, Colorado District, was assigned to service as a porter in Line 4307 between Chicago, Illinois and Denver, Colorado, May 1, 1940.

It was charged that Wortham violated certain regulations. Hearing was held following which Wortham was formally notified of the discipline assessed.

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

OPINION OF BOARD: The evidence of record discloses no grounds for disturbing the action of the Carrier.

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 Employee involved in this dispute are respectively Carrier and Employee 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 4th day of March, 1942.