

Award No. 1867
Docket No. PM-1924

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 Charles W. Rothwell who is now, and for a number of years has been employed by The Pullman Company as a Porter operating out of the District of Denver, Colorado. Because The Pullman Company did, under date of November 29, 1941, discipline Porter Rothwell by actually suspending him from service for a period of ten (10) days, which action was predicated upon a hearing which was unfair, unjust and the result of arbitrary action on the part of the management. More particularly, the Organization contends that Porter Rothwell did not have a fair and impartial hearing as provided for under the rules of the agreement between The Pullman Company and its Porters, Attendants, Maids and Bus Boys, because in said hearing charges were made against Porter Rothwell which had previously been disposed of by having the penalty removed on appeal to the highest officer designated by the management to handle matters of this sort. And further, for Porter Rothwell's record to be cleared of said charge and for him to be reimbursed for all time lost by him because of having been unjustly penalized.

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.

No hearing thereon has been held, and under date of July 2, 1942, 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 7th day of July, 1942.