

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 J. B. Ellerbee who is now, and for a number of years past has been, employed by The Pullman Company as a porter operating out of the New York Central District, New York City. Because The Pullman Company did, under date of May 22, 1942, suspend Porter Ellerbee from active service for a period of thirty (30) days on charges unproven, which disciplinary action was unjust, unreasonable and in abuse of the company's discretion. And further, for the record of Porter Ellerbee to be cleared of this charge and for him to be compensated for the 30 days' time lost by reason of having been unjustly and unreasonably penalized.

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 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 12th day of February, 1943.