

Award No. 2399
Docket No. PM-2350

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 Levi Smith who is now, and for a number of years past has been, employed by The Pullman Company as a porter operating out of the Pennsylvania Terminal District, New York, New York. Because The Pullman Company did, under date of November 18, 1942, discipline Porter Smith by assessing his record with a reprimand on charges unproved; which disciplinary action was unjust, unreasonable and in abuse of the company's discretion. And further, for the record of Porter Smith to be cleared of the charge placed on it as a result of this action of the management.

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; and

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That no hearing thereon has been held, and under date of November 20, 1943, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 24th day of November, 1943.

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