

Award No. 2909  
Docket No. PM-2998

**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 L. V. Jennings who is now, and for a number of years past has been, employed by The Pullman Company as a porter operating out of the Chicago Central District of Chicago, Illinois. Because The Pullman Company did, under date of October 28, 1944 take disciplinary action against Porter Jennings by giving him an actual suspension of fifteen days on charges unproved; which action was unjust, unreasonable and in abuse of the Company's discretion.

And further, because Porter L. V. Jennings 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 in that evidence was introduced into the hearing over objections of the employe's representative and was obtained by the Management under conditions which precluded the employe or his representative from having the right to confront or cross examine the persons giving the evidence against this employe.

And further, for the record of Porter Jennings to be cleared of the charge in the instant case and for him to be reimbursed for the pay lost as a result of this unjust and unreasonable disciplinary action.

**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 4th day of May, 1945.