

Award No. 3042

Docket No. PM-2819

**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 A. W. Overstreet 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 Northern District. Because The Pullman Company did, under date of March 1, 1944, take disciplinary action against Porter Overstreet by assessing his record with a "Warning" on charges unproved. And further, because Porter Overstreet did not have a fair and impartial hearing because the representative of the Management refused to produce the persons giving evidence against him (all Company employes), that Overstreet might be confronted with said persons giving said evidence and cross examine them. And further, because the Management indulged in an unreasonable delay in bringing charges against him in this case. And further, for the record of Porter Overstreet to be cleared of the charges in this case and for the disciplinary action of a warning be removed from his record.

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 no hearing thereon has been held, and under date on November 6, 1945 the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of 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 20th day of December, 1945.