

Award Number 3120

Docket Number PM-3224

**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. L. Sams who was formerly employed by The Pullman Company as a porter operating out of the Chicago Northern District.

Because The Pullman Company did, under date of May 17, 1945, take disciplinary action against Mr. Sams by dismissing him from his position as a porter for The Pullman Company; said action being unjust, unreasonable, in abuse of the company's discretion and based upon charges that have not been proved.

And further, because Mr. L. L. Sams did not have a fair and impartial hearing as contemplated under the rules of the agreement between The Pullman Company and the class of employees of which Mr. Sams is a part.

And further, for Mr. Sams to be returned to his former position as a porter for the Chicago Northern District and for him to be reimbursed for all time lost as a result of this unjust and unreasonable 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 employee involved in this dispute are respectively carrier and employee 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, 1946.