

Award No. 4224
Docket No. PM-4336

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. H. Alexander, who is now, and for some years past has been, employed by The Pullman Company as a porter operating out of the Chicago Western District of Chicago, Illinois.

Because The Pullman Company did, under date of February 14, 1948, take disciplinary action against J. H. Alexander by assessing his record with a warning on charges unproved; which action was unjust, unreasonable, arbitrary, and in abuse of the Company's discretion.

And further, for the record of J. H. Alexander to be cleared of the charge in this case, and for the disciplinary action (a warning) to be expunged from his service record.

OPINION OF BOARD: The evidence of record in this case does not support the charge and the "warning" should therefore be removed from claimant's service record.

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 Employees involved in this dispute are respectively carrier and employees 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 claim will be sustained in accordance with the Opinion.

AWARD

Claim sustained in accordance with the Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 9th day of December, 1948.