

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. E. Kelley, who was formerly employed by The Pullman Company as a porter operating out of the District of Seattle, Washington.

Because The Pullman Company did, under date of November 23, 1949, discharge Mr. Kelley from his position above mentioned on charges unproved; which action was unjust, unreasonable, arbitrary, and in abuse of the Company's discretion.

And further, for Mr. Kelley to be returned to his former position as a porter in the District of Seattle, Washington with seniority rights and vacation rights unimpaired and with pay for all time lost as a result of this unjust and unreasonable action.

OPINION OF BOARD: Following notice of and hearing on specified charges, Porter Kelley was dismissed from service. 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 21st day of September, 1950.