

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

ROYAL W. EUTSAY

THE PULLMAN COMPANY AND THE BROTHERHOOD OF
SLEEPING CAR PORTERS

STATEMENT OF CLAIM: Now comes your petitioner, Royal W. Eutsay, 46 Rutland Square, Boston, Massachusetts, who respectfully requests that he was deprived of his position with the respondent Pullman Company on August 19, 1953, without right or legal justification; that subsequent to his attempted dismissal he worked as an employe of the respondent company as is shown by the Porters' Time Sheet, the original of which is attached hereto and made a part hereof; that prior to his attempted dismissal he had paid dues to the respondent Brotherhood on June 16, 1953, August 18, 1953, and August 21, 1953, the original receipts of which are attached hereto and made a part hereof. (The official receipts are numbered 20883, 20043 and 20050.) That he was not in violation of any requirements of the agreement between the respondent brotherhood and the respondent company; that he has been at all times ready, willing and able to perform his duties with the Pullman Company; that he has been at all pertinent times in good standing with the respondent brotherhood; that he was fired without cause; and that he is entitled to be reinstated at his former position as of the date of the attempted dismissal, together with back pay and such other relief as this Honorable Board may see fit to extend.

OPINION OF BOARD: The evidence of record reveals that the parties to the controlling Agreement are in accord that the claim is not supported by the rules.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties to this dispute did not request hearing thereon;

That the Carrier and the Employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That the Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 4th day of March, 1955.