

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

ROBERT P. WILLIAMS

**THE PULLMAN COMPANY AND BROTHERHOOD OF
SLEEPING CAR PORTERS**

STATEMENT OF CLAIM: The Statement of Claim as expressed by the Petitioner is as follows:

The questions involved concerns the right of the petitioner, Robert P. Williams, to be reinstated in his former position as a "sleeping car porter" with the respondent, Pullman Company. There is also involved the question of reinstatement of the petitioner into the respondent Labor Union.

The facts out of which this dispute has arisen, briefly are as follows:

The petitioner was formerly employed by the respondent Pullman Company for a period of over twelve (12) years. He was discharged by the Pullman Company on the 27th day of May, 1954, at the specific request of the respondent Labor Union.

The respondent Union charged in effect that petitioner-employee failed to comply with the provisions of the Union Membership Agreement of August 23, 1951, executed between the Union and the Company.

The petitioner-employee contends that the dues and assessments in question was tendered by him to the Union, and that there was a refusal by the Union to accept the same.

OPINION OF BOARD: This Board does not have jurisdiction over the question of reinstating petitioner-employee as a member of the Union and that part of the claim is dismissed. The evidence of record does not support the claim in other respects and it is dismissed.

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, Organization and Employee involved in this dispute are respectively Carrier, Organization 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 to the extent indicated in Opinion; and

That the Agreement was not violated.

AWARD

Claim disposed of in accordance with Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 7th day of March, 1956.