

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 R. Norman, a porter now employed by the Pullman Company and operating out of the District of Kansas City, Missouri, because the Pullman Company did deny the claim of Porter Norman for the sum of three dollars, which sum the Brotherhood of Sleeping Car Porters maintains is due Porter Norman in compensation for services performed on standard and tourist cars in the aforementioned districts during the month of August, 1938. This sum being due Porter Norman because Porter Norman, with a recognized seniority date of April 2, 1919, should have been paid at the 'over 15 year rate' for services performed during the aforementioned period, under the provisions of Rule 2 in the Agreement now in force between the Pullman Company and Porters, Attendants and Maids in the service of the Pullman Company in the United States of America and Canada represented by the Brotherhood of Sleeping Car Porters, effective October 1, 1937 instead of at the '5 to 15 year rate' as he was paid by the Pullman Company for the aforementioned services, and to establish the wage status of Porter Norman as being classified under the 'over 15 year rate' in conformity with his seniority rights."

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 employe involved in this dispute are respectively carrier and employe 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;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

Hearing thereon has been held but not concluded. Under date of March 22, 1939, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 30th day of March, 1939.