

**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 Robert Gray who is now employed by the Pullman Company as a porter operating out of the Chicago Central District. Because the Pullman Company did discipline Porter Gray by assessing his service record with a 'reprimand' on March 22, 1939, and because the disciplinary action taken was unjust and unreasonable, and because Porter Gray did not have a fair and impartial hearing as is provided for under the agreement then and now in force between the Pullman Company and its Porters, Attendants and Maids, and further, for the record of Porter Gray to be cleared of the charge and of the disciplinary action taken against him by virtue thereof."

STATEMENT OF FACTS: Robert Gray, employed by the Pullman Company as a porter, Chicago Central District, was assigned to service as porter in Line 2171, Chicago to Pittsburgh via the B. & O. Railroad.

While in service on this assignment on December 2-3, 1938, Gray was charged with certain derelictions of duty and violation of rules.

Hearing was held, following which Gray was formally notified that his record had been assessed with a "reprimand."

Appeals were accorded in compliance with the provisions of the agreement effective October 1, 1937.

OPINION OF BOARD: 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 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; 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: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 2nd day of October, 1939.