

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL OF DINING CAR EMPLOYES

THE ALTON RAILROAD COMPANY

STATEMENT OF CLAIM: "Claim for reinstatement of Leonard Hawkins, Pantryman, and reimbursement for time loss since date of dismissal."

JOINT STATEMENT OF FACTS: "Leonard Hawkins, Pantryman, who was assigned to Dining Car No. 1041, reported for duty at St. Louis at or about 8:00 P. M., May 5th, 1939, and because of his alleged condition was not permitted to take service. He was given a hearing, in compliance with schedule rule, by Mr. W. R. Morten, Supt. Dining & Parlor Car Service, in his office at Chicago on May 10th, 1939. After the hearing, he was dismissed from service on May 11th, 1939. Case was appealed to the officers of the Company up to and including Mr. H. B. Voorhees, Vice President, and the decision of Mr. Morten was sustained."

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 8th day of December, 1939.