

Award No. 1703
Docket No. PM-1747

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 P. R. Ray, who was formerly employed by The Pullman Company as a porter operating out of the district of Washington, D. C. Because The Pullman Company did, under date of April 25, 1941, discharge Porter P. R. Ray from the service in said district, on charges unproved; which discharge was unjust and unreasonable and in abuse of the Company's discretion.

"And further, for Mr. P. R. Ray to be returned to his former position as a porter in the Washington, D. C. district with seniority unimpaired and with pay for all time lost by virtue of said unjust and unreasonable discharge."

STATEMENT OF FACTS: P. R. Ray, employed by the Pullman Company as a porter, operating out of the district of Washington, D. C., was assigned to service, as a porter on car No. 405 filling line No. 2555 on P. R. R. train No. 524, March 5, 1941.

It was charged that Ray conducted himself improperly when reporting for duty March 5, 1941, as well as in other instances.

Hearing was held, following which Ray was formally notified of his discharge from Pullman service.

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 6th day of February, 1942.