

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 I. H. McDowell who is now, and for a number of years past, has been employed as a Porter by The Pullman Company now operating out of the Chicago Central District. Because The Pullman Company did, under date of September 11, 1941 discipline Porter McDowell by assessing his record with a warning which action was unjust, unreasonable and based upon charges unproved.

And further, for the record of Porter McDowell to be cleared of the instant charge.

**STATEMENT OF FACTS:** I. H. McDowell, employed by the Pullman Company as a porter, operating out of the Chicago Central District, was assigned to service as a porter in Line 238 between Chicago, Illinois and Los Angeles, California and return, March 3-10, 1941.

It was charged that McDowell conducted himself improperly toward passengers occupying accommodations while en route Chicago to Tucson and return. Hearing was held following which McDowell was formally notified of the discipline assessed.

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 Employee involved in this dispute are respectively Carrier 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; 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 4th day of March, 1942.