

Award No. 2870
Docket No. PM-2534

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 E. D. Nixon who is now, and for a number of years past has been employed by The Pullman Company as a porter operating out of the Montgomery, Alabama District. Because The Pullman Company did, under date of June 3, 1943, take disciplinary action against E. D. Nixon by giving him an actual suspension of nine (9) days on charges unproved; which action was unjust, unreasonable and in abuse of the company's discretion. And further, for the record of E. D. Nixon to be cleared of the charges placed against him and for him to be reimbursed for the nine days pay lost as a result of this unjust and unreasonable action.

FINDINGS: The Third Division of the Adjustment Board finds:

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

That no hearing thereon has been held, and under date of March 16, 1945, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 23rd day of March, 1945.

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