

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 H. Abernathy who was formerly employed by The Pullman Company as a Bus Boy operating out of the Chicago District Commissary. Because The Pullman Company did, under date of March 13, 1945, discharge H. Abernathy from his former position as a Bus Boy in said district on charges unproved.

And further, because H. Abernathy did not have a fair and impartial hearing.

And further, for H. Abernathy to be restored to his former position as a Bus Boy in the Chicago District Commissary and for him to be paid for all time lost as a result of this unjust and unreasonable action.

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 16th day of May, 1946.