

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 R. J. Smith who is now employed by The Pullman Company as a porter operating out of the Pennsylvania Terminal District, New York City, New York.

Because The Pullman Company did, under date of April 21, 1946, take disciplinary action against Porter Smith by giving him an actual suspension of 3-1/3 days on charges unproved; which action was unjust, unreasonable, and in abuse of the company's discretion.

And further, for the record of Porter Smith to be cleared of the charges in the instant case and for him to be reimbursed for the 3-1/3 days pay 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 13th day of December, 1946.