

Award No. 3399  
Docket No. PM-3459

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF SLEEPING CAR PORTERS**

**THE PULLMAN COMPANY**

**STATEMENT OF CLAIM:** \* \* \* for and in behalf of J. E. Dailey who is now and for a number of years past has been employed by The Pullman Company as a porter operating out of the St. Louis District.

Because The Pullman Company did, under date of November 7, 1945, take disciplinary action against Porter Dailey by giving him a fifteen (15) days actual suspension on charges unproved; which action was unjust, unreasonable and in abuse of the Company's discretion.

And further, for the record of Porter Dailey to be cleared of the charges in the instant case and for him to be reimbursed for the fifteen (15) days pay lost as a result of this unjust and unreasonable action.

**OPINION OF BOARD:** The hearing in this case does not support the charges and claim should be sustained.

**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 employes involved in this dispute are respectively carrier and employes 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 claim will be sustained in accordance with the Opinion.

**AWARD**

Claim sustained.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Third Division

**ATTEST:** H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 20th day of January, 1947.