

Award No. 3571
Docket No. PM-3595

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 Augustus Irving, who is now, and for some years past has been, employed by The Pullman Company as a porter operating out of the Chicago Eastern District of Chicago, Illinois.

Because The Pullman Company did, under date of May 22, 1946, take disciplinary action against Porter Irving by assessing his record with a "Warning," which action was unjust, unreasonable, arbitrary, and in abuse of the Company's discretion, and based upon charges unproved.

And further for the record of Porter Irving to be cleared of the charges in the instant case and for the disciplinary action (Warning) to be removed from his record.

OPINION OF BOARD: Based upon all the facts and circumstances in this particular case, the Board is not disposed to disturb 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 Employees involved in this dispute are respectively carrier and employees 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 29th day of May, 1947.