

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 W. Mitchell, who is now, and for some years past has been, employed by The Pullman Company as a porter operating out of the Pennsylvania Terminal District of New York, New York.

Because The Pullman Company did, under date of May 26, 1947, take disciplinary action against W. Mitchell by assessing his record with a warning on charges unproved; which action was unjust, unreasonable, arbitrary, and in abuse of the Company's discretion.

And further, because W. Mitchell did not have a fair and impartial hearing as provided for under the rules of the Agreement between The Pullman Company and its Porters, Attendants, Maids and Bus Boys represented by the Brotherhood of Sleeping Car Porters.

And further, for the record of W. Mitchell to be cleared of the charge and for the disciplinary action (a warning) to be expunged from his record.

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 7th day of April, 1948.