

Award No. 4301
Docket No. PM-4334

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 O. W. Seymour who is now, and for some time past has been, employed by The Pullman Company as a porter operating out of the District of San Francisco, California.

Because The Pullman Company did, under date of December 1, 1947, take disciplinary action against Porter Seymour 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, for the record of Porter Seymour to be cleared of the charges in this case, and for the warning to be expunged from his record.

OPINION OF BOARD: The evidence of record discloses no grounds for disturbing the action of the Carrier.

FINDING: 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 1st day of February, 1949.