

Award No. 6643
Docket No. PM-6453

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Norris C. Bakke, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF SLEEPING CAR PORTERS

**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC
RAILROAD COMPANY**

STATEMENT OF CLAIM: * * * * for and in behalf of Noble Allen, who is now, and for some time past has been, employed by the Chicago, Milwaukee, St. Paul & Pacific Railroad Company as a porter operating out of Chicago, Illinois.

Because the Chicago, Milwaukee, St. Paul & Pacific Railroad Company did, through Superintendent M. P. Ayars, take disciplinary action against Porter Allen by giving him an actual suspension of ten (10) days, which action was based on charges unproved, and was unjust, unreasonable, and in abuse of the Company's discretion.

And further, for the record of Porter Allen to be cleared of the charge in this case, and for him to be reimbursed for the ten (10) days pay lost as a result of this unjust and unreasonable action.

OPINION OF BOARD: This case involves the same employe and the same Carrier involved in Award 6642, made this day, and because of it, the claim in this case is denied.

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

The Carrier did not violate its Agreement.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois this 25th day of May, 1954.