

Award No. 7006
Docket No. PM-7129

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Hubert Wyckoff, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF SLEEPING CAR PORTERS

THE PULLMAN COMPANY

STATEMENT OF CLAIM: * * * for and in behalf of S. L. Thomas, who is now, and for some time past has been, employed by The Pullman Company as a porter operating out of the Chicago Eastern District.

Because The Pullman Company did, under date of February 2, 1954, take disciplinary action against Porter Thomas by assessing his record with a "Warning", which action was unjust, unreasonable, arbitrary, and in abuse of the Company's discretion.

And further, because it was not proved beyond a reasonable doubt that Porter Thomas was guilty of the charge as is provided for in the rules of the Agreement between The Pullman Company and Porters, Attendants, Maids and Bus Boys in the service of The Pullman Company in the United States of America and Canada, represented by the Brotherhood of Sleeping Car Porters, Revised, effective January 1, 1953.

And further, for the record of Porter Thomas to be cleared of the charge in the instant case, and for the penalty (a Warning) to be expunged from his record.

OPINION OF BOARD: For the reasons stated in Award No. 7004, the claim should be 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 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 Claim should be denied.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 17th day of June, 1955.