

**Award No. 297**  
**Docket No. 312**  
**2-NYC&StL-MA-'39**

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**SECOND DIVISION**

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 57, RAILWAY EMPLOYES'**  
**DEPARTMENT, A. F. OF L. (MACHINISTS)**

**THE NEW YORK, CHICAGO AND ST. LOUIS RAILROAD**  
**COMPANY**

**DISPUTE: CLAIM OF EMPLOYES:** That Mr. Samonia, machinist helper, Buffalo, New York, be compensated for all time lost on account of being held out of service. Mr. Samonia was required to submit to a physical examination in violation of Rule 36 after being off on account of an appendicitis operation.

**STATEMENT:** The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to organization in ex parte form, and the Division is now in receipt of request from the employes that the case be withdrawn.

**AWARD**

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Second Division

**ATTEST: J. L. Mindling**  
Secretary

Dated at Chicago, Illinois, this 19th day of January, 1939.