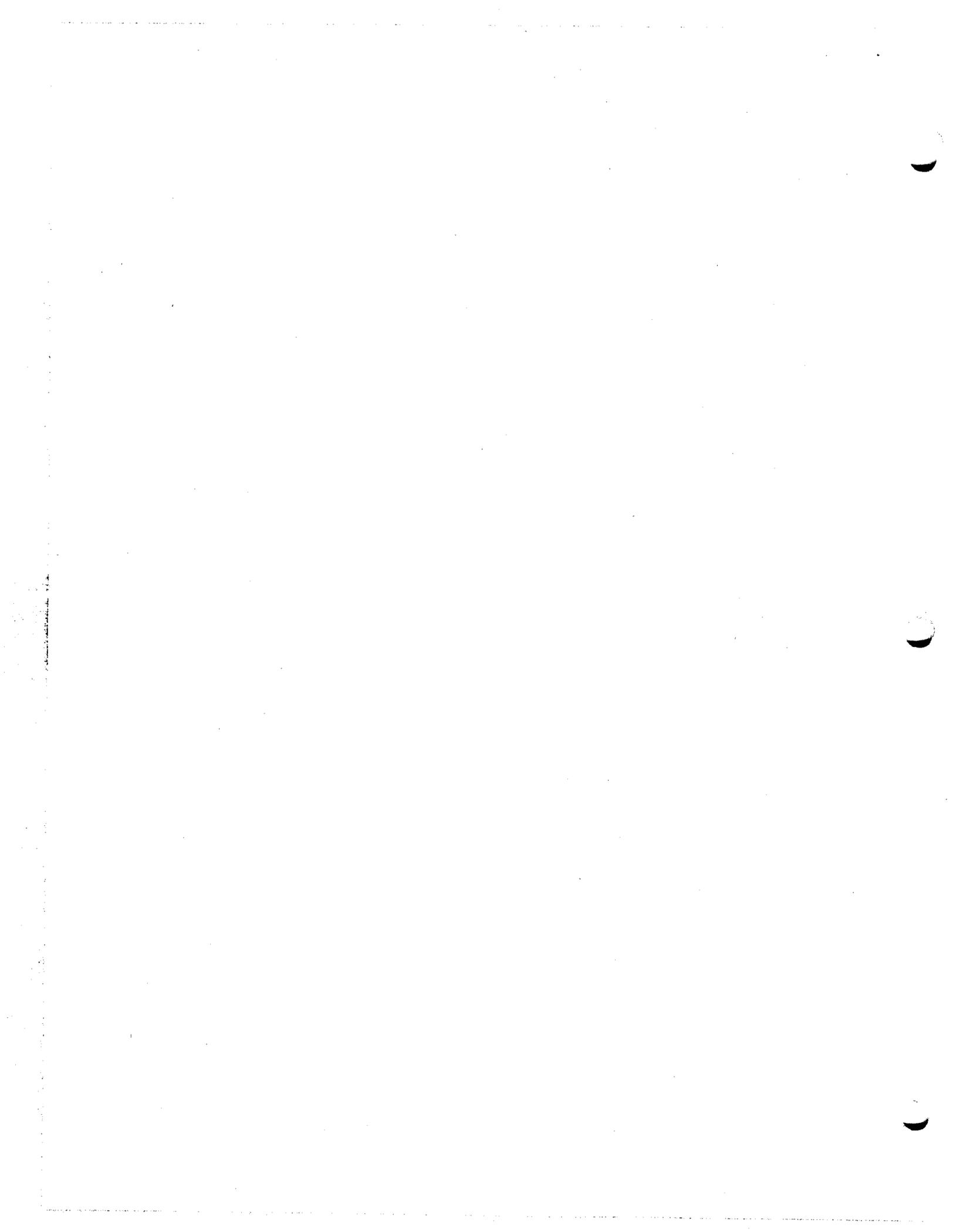


Attest: Executive Secretary
National Railroad Adjustment Board

By *Rosemarie Brasch*
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 29th day of January, 1974.



The issue before this Board for determination is not one of first impression. Second Division Awards 6331, 6278, and 6363, involving the identical parties now before us, have all decided the issue at hand. Therein it was held that the Carrier has the inherent right to require employees to submit themselves for physical examination before returning them to work, but the Carrier has the obligation to render the examination within a reasonable time. And it was determined that five days was a reasonable time.

We see no reason to depart from the reasoning in those Awards and we fully subscribe to it herein. We thus conclude that since Carrier desired that claimant's fitness to return to service be determined by its Chief Medical Officer it was bound to have such determination made within five days of September 13, 1971, the date claimant first returned to service, or by September 18, 1971. Since it failed to do so we will allow the claim for the period commencing September 19, 1971 up to October 11, 1971, the date he returned to work.

A W A R D

Claim sustained to the extent indicated in the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 29th day of January, 1974.