

Award No. 3322  
Docket No. 3465  
2-P&LE-TWUOA-'59

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

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**PARTIES TO DISPUTE:**

**TRANSPORT WORKERS UNION OF AMERICA  
RAILROAD DIVISION**

**PITTSBURGH AND LAKE ERIE RAILROAD COMPANY  
LAKE ERIE AND EASTERN RAILROAD COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

On May 19, 1958 R. Pastino, Car Repairman reported for work after being told by the doctor that he could go back to work.

The Carrier refused to put him back to work as a car repairman and told him he would have to take a helpers job.

After working as a car repairman since March 29, 1926 and being told by the doctor that he was fit to go to work and reporting on May 19, 1958, the Organization cannot see how the Carrier can tell this employe that he cannot have a carman job but must take a helpers job.

The Organization takes the stand that after working as a car repairman all these years the Carrier is incorrect by not allowing him to work as a carman and for this reason the Organization requests the Carrier to compensate R. Pastino the difference between a helpers rate of pay and the carmens rate of pay for every day that R. Pastino is required by the Carrier to work as a helper.

**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form, hearing was not held thereon, and the Division is now in receipt of a request from the employes that the case be withdrawn.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman  
Executive Secretary

Dated at Chicago, Illinois, this 21st day of September 1959.