

**Award No. 4516**  
**Docket No. 4566-I**  
**2-PULL-I-'64**

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

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**PARTIES TO DISPUTE:**

**EDWARD LEROY SWINDELL (Electrician)**

**THE PULLMAN COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:** (1) That under the current agreement, electrician E. L. Swindell was unjustly dismissed and the following rules of the current agreement were violated, and certain parts of the Railway Labor Act as follows: Rules of the Agreement 37, 45, 52, 53, 65, 70—Rules of the Railway Labor Act, Section 152 sub-paragraphs 1, 2, 4, 6, 8.

(2) That the employe was in the "service" of the carrier longer than thirty days, notwithstanding that he did not "work" thirty days as a result of an industrial injury caused by his employment and while employe was incapacitated he was allegedly dismissed from the service.

(3) That accordingly the carrier be ordered to restore the employe's name to the seniority roster and compensate him for all time lost to make him whole.

**STATEMENT:** The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to Petitioner in ex parte form, and the Division is now in receipt of a request from the Petitioner that the case be withdrawn.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 25th day of May, 1964.