

CORRECTED

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 9731
Docket No. 9353
2-BN-EW-'83

Parties to Dispute: (*International Brotherhood of Electrical Workers*
(*Burlington Northern Railroad Company*

Dispute: Claim of Employees:

1. That in violation of the current Agreement, the Burlington Northern, Inc., unjustly and without cause withheld Electrician D.G. Hetrick from service during the period of July 1, 1980 to July 22, 1980.
2. That in further violation of the Agreement, the Burlington Northern, Inc. precluded Claimant from being eligible for sickness benefits by its refusal to accept the back to work release from Mr. Hetrick's personal physician, failed to facilitate handling of his return to service and refused to accept financial responsibility for medical records requested by Carrier's Chief Medical Officer resulting in additional expense to Mr. Hetrick.
3. That accordingly, the Burlington Northern, Inc., be ordered to compensate Electrician D. G. Hetrick in the amount of 128 hours at the pro rata rate, which amounts to eight (8) hours compensation for each of the sixteen (16) work days he was unjustly withheld from service during the claim period of July 1, 1980 to July 22, 1980. In addition, claim to include compensation of ten (10) dollars which was the cost of a Carrier requested medical report."

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 14th day of December, 1983