

Case No. 9  
Award No. 9  
Carrier's File: F-12-78  
Organization's File: 11498

Parties to dispute:

United Transportation Union (E)

and

Denver & Rio Grande Western Railroad Company

Statement of claim:

Fireman R. A. Moore claims 250 miles for Oct. 24, 1977 account he was not notified his hostling assignment was blanked.

Opinion of Board:

Claimant was a hostler regularly assigned to the 2:30 p.m. assignment at Denver. October 24, 1977, was selected on the property for Veterans' Day. On that day, at 10:30 a.m., claimant was notified that his job was annulled for the day only.

He was allowed one day's pay for the holiday. He claimed time and one-half for working the holiday and it was denied.

It is the position of the organization that the notice was not sufficient, that he would have been given notice before the end of the previous tour under prevailing and accepted practice.

While cited Article 63(J) may not apply to this situation, the practice and its long-term acceptance does.

Award 2 of PLB 1479 (Myers) allowed an additional day at pro rata rate, and we will adopt that finding.

Findings of Board:

That the Agreement was violated.

Award:

Claim sustained as outlined in Opinion of Board.

Order:

That this award be made effective on or before 30 days from date.

Signed this *5th* day of *Nov*, 1980 at

*John B. Criswell*

John B. Criswell, Neutral Member

*J. W. Lovett*

J. W. Lovett, Carrier Member

*D. C. Deering*

D. C. Deering, Organization Member