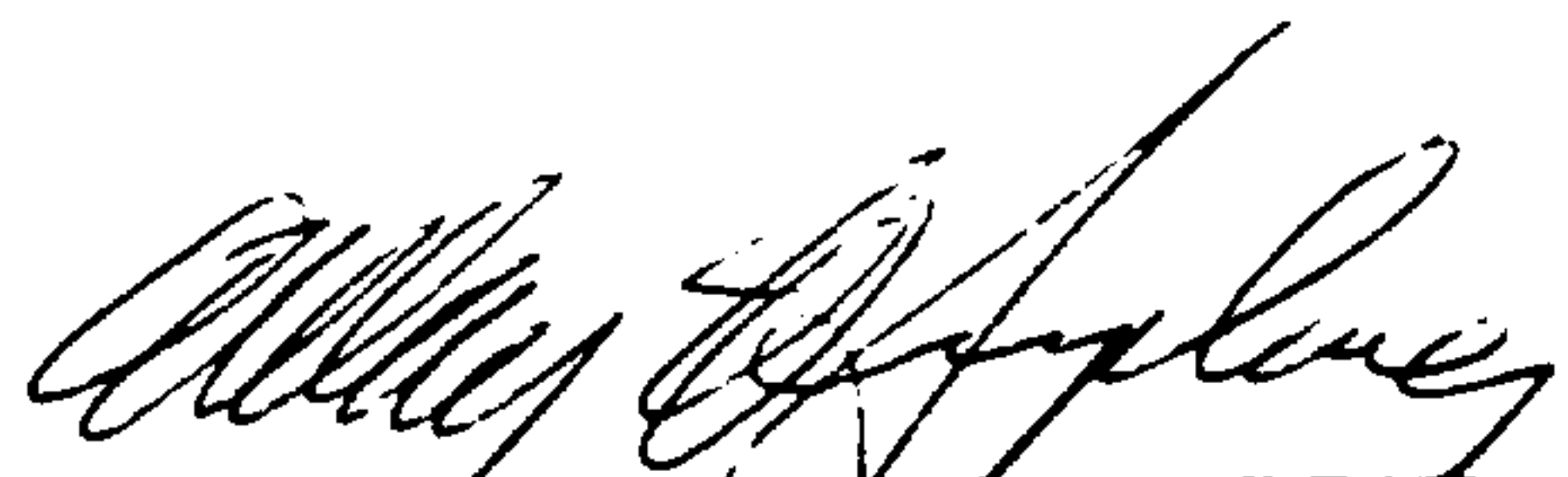


FINDING:

Claimant qualified for Holiday Pay except for carrier claim, claimant had been furloughed December 23rd. Claimant worked December 22nd and on December 23rd, visited the property to receive his pay check visiting with General Yardmaster Murphy. The carrier alleges claimant was told he was furloughed. Claimant denies he was so notified. There was no further communication until Dec. 26, when claimant received a call to perform service on the 8:00 a.m. assignment. On reporting for duty, claimant was given a furlough notice dated December 23, 1980. While it is difficult to decide a question of veracity on review, here five other employees were furloughed orally on the 23rd. Had claimant been notified on Dec. 23, it would not have been necessary for Mr. Murphy to try to telephone claimant as related in Mr. Gilbert's January 13, 1981 letter. Claimant's availability for work is assumed from the usual practice of being available for call.

AWARD: CLAIM SUSTAINED

ORDER: This award is ordered effective forthwith, and the Carrier is directed to make payment within thirty (30) days.



Judge Arthur W. Sempliner
Chairman and Neutral

DATED: March 19, 1982
Detroit, Michigan



J. R. Wells
Organization Member



Kenneth Gilbert
Carrier Member