

Award No.8  
Case No. 3  
UTU File No. HNS-R-5-5-83  
Carrier File No. 282-2238

PUBLIC LAW BOARD NO. 3737

PARTIES TO DISPUTE: The United Transportation Union  
The Missouri Pacific Railroad Company

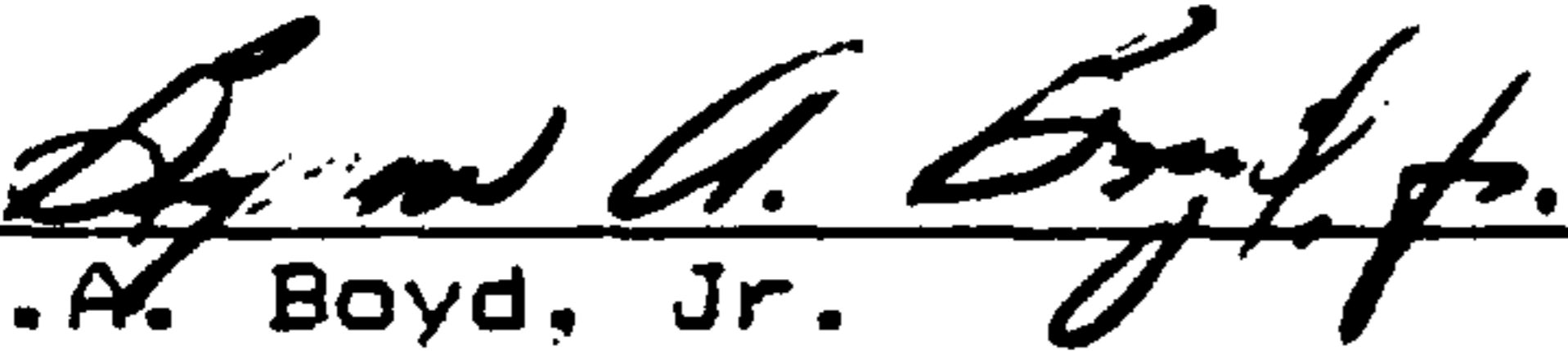
STATEMENT OF CLAIM: Claim of Conductor D. L. Ehrlich and Brakeman J. E. Malkowsky for the payment of 100 miles each date December 24 and 25, 1982, on account of their assignment being abolished.

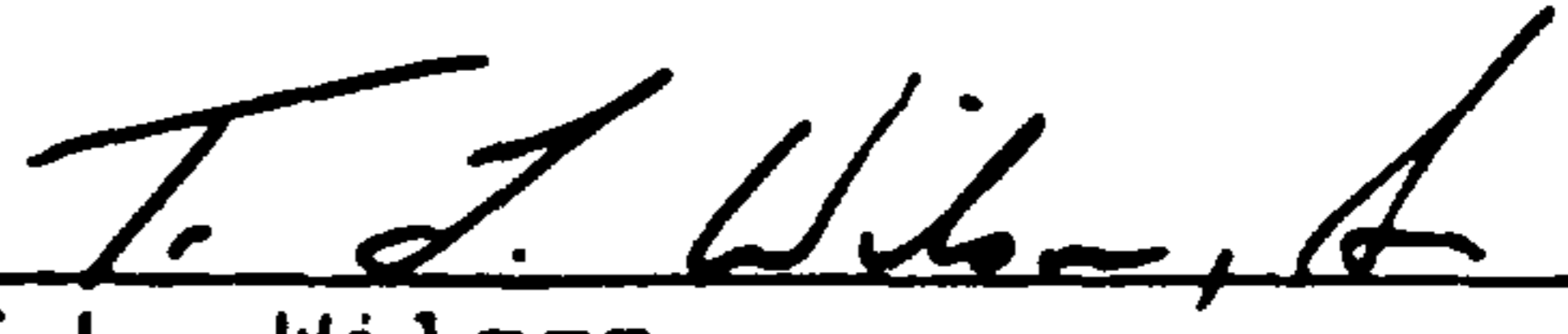
STATEMENT OF FACTS: Conductor D. L. Ehrlich and Brakeman J. E. Malkowsky were regularly assigned to Traveling Switcher No. 325. On December 23, 1982 Claimants performed service on their assignment and at the conclusion of their tour of duty they were notified their assignment was cancelled or abolished for the holidays of December 24 (Christmas Eve) and December 25 (Christmas Day). Claimants reported and were available for service on December 26, 1982. Therefore, the Claimants were available and performed service immediately prior to the holidays of December 24 and 25. Claimants were available and ready for service immediately following the holidays of December 24 and 25.

FINDINGS OF FACTS: The paid holidays-Road Service Article 1, June 25, 1964 National Agreement states three (3) provisions that control whether or not an employee may be eligible for holiday pay when his regular assignment is annulled, cancelled or

abolished. The Claimants meet each of these three criteria and are therefore eligible to be paid, accordingly.

AWARD: Claim granted.

  
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B.A. Boyd, Jr.  
For the Organization

  
\_\_\_\_\_  
T.L. Wilson  
For the Carrier

  
\_\_\_\_\_  
Pat Cain, Neutral Member and  
Chairman

Austin, Texas

Dated: Jan. 9, 1986