

Award No.9  
Case No. 4  
UTU File No. HNS-R-5-4-83  
Carrier File No. 282-2242

PUBLIC LAW BOARD NO. 3737

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

STATEMENT OF CLAIM: Claim of Conductor K. R. Harrison for the payment of 100 miles each date December 24 and 25, 1982, on account of his assignment being abolished.

STATEMENT OF FACTS: On December 23, 1982 Claimant performed service on his assignment and at the conclusion of his tour of duty, he was notified his assignment was cancelled or abolished for the holidays of December 24 (Christmas Eve) and December 25 (Christmas Day). Claimant reported and was available for service on December 27, 1982. Claimant's assignment observed its' normal rest day on Sunday, December 26th, Therefore, the Claimant was available and performed service immediately prior to the holidays of December 24 and 25. Claimant was available and ready for service immediately following the holidays of December 24 and 25.

FINDINGS OF FACTS: The Claimant met the three criteria for being eligible for holiday pay when his regular assignment was annulled, cancelled or abolished under the paid holidays-Road Service Article 1, June 25, 1964 National Agreement. The fact that the 26 of December fell on a Sunday which was not an ordinary work day for that job automatically moved the date for

availability of service to December 27, keeping his eligibility intact.

AWARD: Claim granted.

B.A. Boyd, Jr.  
B.A. Boyd, Jr.  
For the Organization

T.L. Wilson, Jr.  
T.L. Wilson  
For the Carrier

Pat Cain  
Pat Cain, Neutral Member and  
Chairman

Austin, Texas

Dated: Jan. 9, 1986