

The Second Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

PARTIES TO DISPUTE: (Brotherhood Railway Carmen/ Division of TCU  
(  
(Kansas City Southern Railway Company -  
( Louisiana & Arkansas Railway Company

STATEMENT OF CLAIM:

1. That the Kansas City Southern Railway Company - Louisiana & Arkansas Railway Company violated the controlling agreement, particularly Rule 21(b), when notice dated November 24, 1986 was posted notifying employes at Shreveport, Louisiana that only certain positions would work on Thanksgiving Day, November 27th, and Friday, November 28th, 1986, and did not provide for five (5) working days advance notice as required by the controlling agreement.
2. That accordingly, the Kansas City Southern Railway Company - Louisiana & Arkansas Railway Company be ordered to compensate Carmen G. D. Kent, S. C. Gray and H. Travis in the amount of eight (8) hours each at time and one-half rate for the dates of November 27 and 28, 1986.

FINDINGS:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

This Claim is predicated on a contention that Carrier violated the Agreement when it failed to give Claimants five days notice that their positions would not be worked on two Holidays, Thanksgiving Day, November 27, and Friday after Thanksgiving, November 28, 1986.

The Board decided in Second Division Award 7478 that it was not necessary to give the same required five working days advance notice on abolishment of positions when certain assignments would not be worked on a holiday. We do not find the logic of that Award in error and it will be followed here.

Annulment of an assignment on a holiday is not the same as abolishment of a position. Carrier has the right to work or not work employees on holidays and there is no requirement in the Holiday Pay Rule that five working days notice be given before an assignment can be laid in.

The Claim is without merit and will be denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 20th day of February 1991.