

# CANADIAN RAILWAY OFFICE OF ARBITRATION

## CASE NO. 1987

Heard at Montreal, Tuesday, 9 January 1990

Concerning

### ALGOMA CENTRAL RAILWAY

And

### UNITED TRANSPORTATION UNION

#### **DISPUTE:**

Claim of Trainman W. Skouris for General Holiday payment August 3rd, 1987.

#### **JOINT STATEMENT OF ISSUE:**

Trainman W. Skouris was in assigned service employed as a Brakeman on Passenger Trains No. 1 & 2 between Sault Ste. Marie and Hearst, working Sunday to Wednesday inclusive with Thursday, Friday and Saturday as days off.

On July 29th, 1987, Trainman W. Skouris requested to be off on Sunday, August 2nd, 1987 which request was granted by the Company.

At 1900 hours on August 2nd, 1987, Trainman Skouris book OK for duty and submitted a General Holiday ticket for Monday, August 3rd, 1987.

The Organization contends that Trainman Skouris was available for duty and is entitled to General Holiday pay for Civic Holiday, August 3rd, 1987.

The Company contends that Trainman W. Skouris was not available for his regular assigned run on August 3rd, 1987, and has declined payment for General Holiday pay for that day.

#### **FOR THE UNION:**

**(SGD) J. SANDIE**  
GENERAL CHAIRPERSON

#### **FOR THE COMPANY:**

**(SGD) V. E. HUPKA**  
FOR: VICE-PRESIDENT – RAIL

There appeared on behalf of the Company:

V. E. Hupka – Manager, Industrial Relations, Sault Ste. Marie  
N. L. Mills – Superintendent, Transportation, Sault Ste. Marie  
J. N. Gardner – Labour Relations Officer, Sault Ste. Marie

And on behalf of the Union:

J. H. Sandie – General Chairman, Sault Ste. Marie

**AWARD OF THE ARBITRATOR**

The facts in the instant case, although slightly different in certain particulars, are in all material respects indistinguishable from those reviewed in **CROA 1986**. For the reasons related in that award, as well as in **CROA 1613**, the claim of Trainman Skouris must be allowed. The Arbitrator directs that he be compensated forthwith for his claim of holiday pay for the Civic Holiday, August 3, 1987.

January 12, 1990

**(Sgd.) MICHEL G. PICHER**  
**ARBITRATOR**