

ARTICLE 46 - HOLIDAY PAY

(The following is a synthesis from the National Agreements of June 25, 1964, November 7, 1966, July 17, 1968, March 19, 1969, January 27, 1972, January 29, 1975 and November 10, 1976, except as otherwise indicated, so far as they apply to employes covered by this Agreement)

6/25/64 Nat. Agr.

(a) Each regularly assigned road service employe in local freight service, including road switchers, roustabout runs, mine runs, or other miscellaneous service employes, who are confined to runs of 100 miles or less and who are therefore paid on a daily basis without a mileage component, and who meet the qualifications set forth in Paragraph (c) hereof, shall receive one basic day's pay at the rate for the class and craft of service in which last engaged for each of the following enumerated holidays:

New Year's Day
Washington's Birthday
Good Friday
Decoration Day
Fourth of July
Labor Day
Veterans' Day
Thanksgiving Day
Christmas Eve
Christmas Day

1/29/75 Nat. Agr.

6/25/64 Nat. Agr.

1/27/72 Nat. Agr.

6/25/64 Nat. Agr.

1/29/75 Nat. Agr.

6/25/64 Nat. Agr.

Only one basic day's pay shall be paid for the holiday irrespective of the number of shifts or trips worked.

Note 1: When any of the above-listed holidays fall on Sunday, the day observed by the State or Nation shall be considered the holiday, except Christmas Eve shall be observed as the day before Christmas Day is observed.

1/29/75 Nat. Agr.

Note 2: Veterans' Day will be observed on November 11 of each year.

1/27/72 Nat. Agr.

6/25/64 Nat. Agr.

(b) (1) Any of the employes described in Paragraph (a) hereof who works on any of the holidays listed in Paragraph (a) hereof shall be paid at the rate of time and one-half for all services performed on the holiday with the minimum of one and one-half times the rate for the basic day.

(Article 46, Cont'd)

7/17/68
BRT Nat. Agr.
3/19/69
ORCB Nat. Agr.
Modified

(2) Not more than one time and one-half payment will be allowed, in addition to the "one basic day's pay at the pro rata rate," for service performed during a single tour of duty on a holiday which is also a workday or a vacation day.

6/25/64 Nat. Agr
Modified

(c) (1) To qualify for holiday pay, a regularly assigned employe referred to in Paragraph (a) hereof, must be available for or perform service as a regularly assigned employe in the classes of service referred to on the workdays immediately preceding and following such holiday, and if his assignment works on the holiday, the employe must fulfill such assignment. However, a regularly assigned employe whose assignment is annulled, canceled or abolished, or a regularly assigned employe who is displaced from a regular assignment as a result thereof on (aa) the workday immediately preceding the holiday, (bb) the holiday, or (cc) on the workday immediately following the holiday will not thereby be disqualified for holiday pay provided he does not lay off on any of such days and makes himself available for service on each of such days excepting the holiday in the event the assignment does not work on the holiday. If the holiday falls on the last day of an employe's workweek, the first workday following his "days off" shall be considered the workday immediately following. If the holiday falls on the first workday of his workweek, the last workday of the preceding workweek shall be considered the workday immediately preceding the holiday.

11/10/76 Nat. Agr.
Section 4

(2) An employe who meets all other qualifying requirements will qualify for holiday pay for both Christmas Eve and Christmas Day if on the "workday" (for a regularly assigned employe) or the "calendar day" (for an extra or unassigned employe) immediately preceding the Christmas Eve holiday he fulfills the qualifying requirements applicable to the "workday" or the "calendar day" before the holiday and on the "workday" or the "calendar day," as the case may be, immediately following the Christmas Day holiday he fulfills the qualifying requirements applicable to the "workday" or the "calendar day" after the holiday.

(3) An employe who does not qualify for holiday pay for both Christmas Eve and Christmas Day may qualify for holiday pay for either Christmas Eve or Christmas Day under the provisions applicable to holidays generally.

(Article 46, Cont'd)

Nat. L/A BRT
11/7/66
Modified

Understanding: It is understood that when a regularly assigned employe, holding an assignment subject to this Article, who performs compensated service at least one day on his regular assignment in the week in which the holiday falls, is required to be used off his assignment to protect other service on one or both qualifying days and/or on the holiday, performing or being available for the service he is called to protect will qualify him to receive the holiday basic day's pay at the rate of his regular assignment. He will be paid at the rate of time and one-half for service performed on the holiday provided he works on his regular assignment, and only then if he meets the qualifying requirements, set forth in this Article as interpreted herein.

A regularly assigned employe holding an assignment which is not subject to this Article, but who is called to protect other service on an assignment which is subject to this Article will qualify for payment of the basic day for the holiday if he is available for or performs service on such assignment on the qualifying days and on the holiday, provided no other employe qualifies for holiday pay on such position. If the assignment works on the holiday, he will be paid at the rate of time and one-half for service performed on the holiday.

6/25/64 Nat. Agr.

(d) Weekly or monthly guarantees shall be modified to provide that where a holiday falls on the workday of the assignment, payment of a basic day's pay pursuant to Paragraph (a) hereof, unless the regularly assigned employe fails to qualify under Paragraph (c) hereof, shall be applied toward such guarantee. Nothing in this Article shall be considered to create a guarantee where none now exists, or to change or modify rules or practices dealing with the Carrier's right to annual assignments on the holidays enumerated in Paragraph (a) hereof.

L/U dated
3/20/68
Modified

Interpretation (FRISCO Agreement):

When an assignment is annulled, those assigned can only receive holiday pay or the guarantee provided for in the Agreement; not both.

(Article 46, Cont'd)

6/25/64 Nat. Agr.
Modified

(e) That part of all rules, agreements, practices or understandings which requires that crew assignments or individual assignments in the classes of service referred to in Paragraph (a) hereof be worked a stipulated number of days per week or month will not apply to the 10 holidays herein referred to; but where such an assignment is not worked on a holiday, the holiday payment to qualified employes provided by this Article will apply.

(f) As used in this Article, the terms "workday" and "holiday" refer to the day to which service payments are credited.

7/17/68
BRT Nat. Agr.
3/19/69
ORCB Nat. Agr.

(g) When one or more designated holidays fall during the vacation period of the employe, he shall, in addition to his vacation compensation, receive the holiday pay provided for herein, provided he meets the qualification requirements. The qualifying days shall be the workdays immediately preceding and following the vacation period. In road service, lost days preceding or following the vacation period due to the away-from-home operation of the individual's run shall not be considered to be workdays for qualifying purposes.