

**Article 6(D)****MORE THAN ONE CLASS OF ROAD SERVICE RULE**

(d) Road employees employed in any class of road service may be required to perform two or more classes of road service in a day or trip subject to the following terms and conditions:

**A. Payment:**

1. Except as qualified by A-2 below, payment for the entire service shall be made at the highest rate applicable to any class of service performed, the overtime basis for the rate paid to apply for the entire trip. Not less than a minimum day will be paid for the combined service.
2. Road employees in through freight and passenger service only shall receive full payment for the regular day or trip based on miles or hours applicable to the regular day or trip plus extra compensation on a minute basis for all additional time required in the other class of road service.

The rate paid both for the regular trip and for the additional time shall be the highest rate applicable to any class of service performed during the entire day or trip.

On the working ticket this would be used to change rate of pay. Please explain this change of service code under the CA Code (FE). If you're unsure of the proper service occupation code, you can hit the F1 button on the service code line and it will pop up a help box with the code list.

On duty at 0030 hours for HOS for train XXXX. Took train from XXXX to XXXX for 130 miles. After relieving train XXXX we were instructed by (DS, CHIEF, Train master, etc.) to relieve (local) at MP XXXX and take it to MPXXXX. Per Article 6(D) this ticket should be paid at the highest rate for all miles. Total miles accumulated was XXXX.

Scenario for A2 would be, a crew working in though freight from point A to B and the crew was required to stop and pick up (ballast, rail cars) or had these cars in their train and were instructed to stop and dump/lay (ballast, rail) which would be considered work train rate. The time consumed should be paid at 16.25 miles an hour above the trip rate. Please note the conductor would need to be on the ground at the time of this work for this violation to occur.

Claim for work train rate of pay account instructed by (DS, Chief, Trainmaster, etc.) to stop and pick up 5 (ballast, rail) cars at Station XXXX and proceed to MP XXXX where we were instructed by MOW to dump/lay the (ballast, rail) cars at

MpXXXX. Arrived at MP XXXX at 0920 hours, dumped/laid (ballast, rail) from MP XXXX to MP XXXX ending at 1045 hours. 1 hour and 25 minutes where consumed dumping/laying (ballast, rail) for 23 miles.

**Article 7(A)(7)**

(a)(7) Conductors in irregular or assigned freight service and in local freight service performing one hour, forty-five minutes (1'45") or more station switching as defined by the local freight conversion rule within the limits of a road switcher assignment will convert to the road switcher rate of pay. This not to affect application of the local freight conversion rule when the road switcher rate is not paid. (See Appendix 11)

This is violation you will need to put all moves with car numbers and tracks involved. All time performing switching would be counted inside the limits if you worked more than on location or station withing the road switcher limits. Only the time involved in switching would be allowed to count towards the 1 hour and 45 minutes. Travel time wouldn't be consider concerning this time limit.

Claim Road Switcher rate of pay per Article 7 (A) (7) account performing work for 1 hour and 45 minutes or more within the limits of Road Switcher XXXXX. Arrived at (Station, MP) at 1035 hours. Switched cars XXXXX to track XXXX to uncover our pickup. Picked up cars XXXX out of track XXXX and doubled them to our train on the main. Went back to track XXXX for cars XXXX which was set back into track XXXX. Picked up 15 cars XXXX out of track XXXX and set car XXXX to our train. Switched 4 cars XXXX back to our train. Then put the remainder of the cars back to track XXXX. Total time consumed (1' 45" minutes or more)

**Article 10**

## ARTICLE 10

## SHORT TURNAROUNDS

Employees in pool or irregular freight service may be called to make short trips or turnarounds with the understanding that one or more turnaround trips may be started out of the same terminal and paid actual miles, with minimum of 100 miles for a day; provided (1) that the mileage of all the trips does not exceed 100 miles, and (2) that employees shall not be required to begin work on a succeeding trip out of initial terminal after having been on duty 8 consecutive hours, except as a new day, subject to the first-in first-out rule or practice.

On XXXX we were called for train XXXX at 0030 hours. We took train XXX from (MP, Terminal to (MP, Terminal) for a total of 130 miles. When we arrived at our home terminal we were instructed by (DS, Chief, Train Master, etc.) to depart the terminal after being on duty eight hours or more to take train XXXX from (MP, Terminal) to (MP, Terminal). This is a violation of Article 10 of the ATSF Road schedule for a basic day.

## ARTICLE 15(f)

## RUNNING FIRST-IN, FIRST-OUT

(f-1) A crew in pool freight, in unassigned service or an extra conductor or brakeman called but not run in turn when called for the same service, for the same objective terminal and over the same route, will be allowed one-third basic day, thirty-three miles, at the rate applicable to the service performed. **(See Appendix 36)**

## -APPENDIX NO. 36-

MEMORANDUM OF AGREEMENT entered into at Chicago, Illinois on the 18th day of August, 1976, between The Atchison, Topeka and Santa Fe Railway Company, Eastern and Western Lines (excluding the Northern and Southern Divisions) and its employees represented by the United Transportation Union, Conductors' and Trainmen's Committee.

In disposition of claims filed under Article 15(f-1), the following will apply, provided they meet the requirements of the rule:

- (1) The maximum of one 33-mile payment will be allowed each crew member per tour of duty.
- (2) Switching at a terminal opposed to not switching at a terminal, will not be a basis of classifying conductors and trainmen in different service.
- (3) Conductors and trainmen in pool freight service need not be in the same pool when not run in turn, to receive the payment described in this rule.

Signed at Chicago, Illinois this 18th day of August, 1976.

(Signatures not reproduced)

Article 15(F-1) is for CA Code YA. This code is valid unless it is already figured into your trip rates elements.

On XXXX I was on duty at 0030 hours for train XXXX. Conductor Smith was on duty at 0045 hours for train XXXX. Conductor Smith departed on train XXXX at 0115 hours. I departed on train XXXX at 0145 hours. Per Article 15(F-1) this is a violation for 43 miles (1/3 of 130 miles) for Conductor Smith on Train XXXX departed first.



## ARTICLE 15

## CALLING CONDUCTORS AND BRAKEMEN

(a) Employees in pool freight and unassigned service, and extra employees, will be called first-in, first-out. Employees not called in proper turn will be allowed one basic day and remain in the same position they were prior to being run around. **(See Appendix 37)**

On January X, 2016, I was first out on Board XXXX. Conductor Smith was second out and called for train XXXX on duty at 0600 hours. I was deprived work for not being called first out for train XXXX. This mishandling is a violation of Article 15(A) of the ATSF Road Schedule for a basic day.

## ASSIGNED STARTING TIME

(g-1) Employees, assigned to regular runs, except in passenger and road switcher service, will have an assigned starting time which shall be specified in the bulletin covering the assignment. If brought on duty in advance of the time specified in the bulletin, a minimum payment of 100 miles at the rate of the service performed will be allowed separate and apart from all earnings of the regular assignment. If notified in writing before going off duty on previous trip that a bulletin has been posted changing the starting time of the assignment, the assigned starting time will be considered as having been properly changed and no extra payment will be due under this Article 15(g-1) or (g-2). Where the change in starting time is sufficient to require readvertising under the impairment rule (Article 23(d)) the run will be readvertised.

(g-2) Employees assigned to regular runs, except in passenger and road switcher service, brought on duty subsequent to starting time as specified in the bulletin assignment, will be paid from starting time as specified in bulletin assignment, unless notified at least one hour thirty minutes in advance of the starting time as specified by bulletin assignment that their services will not be required until a specified time, or until called. If so notified and placed on duty more than two (2) hours (within the same calendar day) after their starting time as specified in bulletin, their pay will start two (2) hours after advertised starting time.

NOTE 1: The above paragraph will have no application where Hours-of- Service Law prevents earlier on-duty time than that for which the employees are called.

On January x, 2016, Local XXXX is advertised on duty at 0600 hours. At 0200 hours Crew Caller instructed me that my on duty time was changed to 0500 hours. This is a violation of Article 15(G-1) ATSF Road Schedule for a basic day account for not being notified of the change in on duty time.

## Various Information from 92 CCA \*\*

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|-----|----|--|-------------------|
| SSQ | 4. | IF A CONDUCTOR AND A BRAKEMAN VACANCY EXIST AT THE EXACT SAME TIME, SUCH AS, BOTH THE CONDUCTOR AND BRAKEMAN HAVE LAID OFF ON THE ROAD SWITCHER, WITH AN ON DUTY TIME OF 0800 HOURS, WHAT PROCEDURE WOULD BE USED TO FILL THE CONDUCTOR VACANCY? WOULD THE FIRST OUT EMPLOYEE ASSIGNED TO THE COMBO BOARD (ASSUMING THE FIRST OUT MAN WAS A PROMOTED CONDUCTOR) BE USED AS THE CONDUCTOR? WOULD THE SENIOR OF THE TWO FIRST OUT EMPLOYEE'S (ASSUMING BOTH EMPLOYEES ARE PROMOTED AS CONDUCTOR) BE USED AS THE CONDUCTOR? | 0590<br>&<br>5905 |
| SSA | 4. | The senior of the two employees will be given his/her choice of the vacancies, provided the two vacancies exist on the same crew.  |                   |

This claim is out of the 92 Crew Consist 2<sup>nd</sup> Series Q&A allowing the senior employee to have a choice of assignment when 2 employees are called for the same crew.

On January X, 2016, I was called off Board XXXX with J Doe for train XXXX. I was assign to the brakeman position without given the choice of assignment. J Doe is junior to me in seniority and was assigned to the conductor position. Per the 92 C.C.A. 2<sup>nd</sup> Series Q&A #4, the senior of the two employees will be given the choice of the assignment at calling time. Claim is for the difference in wages and  $\frac{1}{2}$  a basic day for the violation of not allowing the senior employee choice of assignment.