

ARTICLE 55 - LEAVE OF ABSENCE

Art. 47 Bkm
M/A eff.
2/1/71 Bkm
M/U eff.
8/1/65 Bkm
L/U signed
5/30/75 Bkm
L/U signed
10/31/72 Bkm
Art. 48
Sec. A Bkm
Art. 35
Sec. J & K Cdr
M/A eff.
2/1/75 Cdr
Awds. Nos. 330, 333,
& 337, PLB No. 717
REVISED

(a) (1) Except in cases of sickness or injury, Conductors and Brakemen will not be granted leave of absence in excess of 90 days in any 12-month period, unless agreed to by the Carrier and General Chairman. Except as provided below for those absent because of being injured while on duty in this Carrier's service, Conductors or Brakemen who are off more than 30 days (excluding vacation time paid for), will be required to secure written leave of absence or forfeit seniority. A Conductor or Brakeman who is absent because of being injured while on duty in this Carrier's service will automatically be considered to be on leave of absence for the duration of his disability from the time that he properly completes and submits to the Carrier the required "accident report" reporting his on-duty injury; provided, however, that the Carrier and/or the General Chairman, each 120 days, may require the absent Conductor or Brakeman to submit to either or both of them, a medical doctor's certificate attesting to the fact that the Conductor's or Brakeman's continuing absence is the result of disability resulting from the reported on-duty injury.

(2) When a Conductor or Brakeman has been off more than 30 days (excluding vacation time paid for) and has not secured a written leave of absence, if and when he reports for service he will be given a notice to appear for investigation to show cause as to why he should not be permanently removed from service.

Interpretations For Application Of Paragraph (a)
Above:

(i) A Conductor or Brakeman who is absent for more than 30 days, without proper leave of absence, is automatically adjudged to have "quit" his employment with this Carrier unless he can establish that he was physically or mentally incapable of requesting the leave of absence account sickness or injury.

(ii) The "investigation" mentioned above, is not a disciplinary proceeding and is to be conducted for the sole purpose of giving the employe the opportunity to present evidence that would establish that he was

(Article 55, Cont'd)

Ditto

physically or mentally incapable of such a request or to present evidence that the length of absence was improperly computed.

(iii) The continuity of a Conductor's or Brakeman's absence without leave, is not broken when he reports for duty unless he stays marked up until service is performed.

(iv) The absence is computed from the lay-off date or the last day on which compensated service is performed (or paid for as vacation) whichever occurs last.

(b) Except through agreement between the Carrier and General Chairman, a Conductor or Brakeman accepting outside employment while on leave of absence shall forfeit his seniority and be considered out of service.

(c) See Article 24, Sections L and M in regard to employes accepting positions with the Carrier or their labor Organization.