

ARTICLE 10 - INTERDIVISIONAL SERVICE

(Article XII of the January 27, 1972 National Agreement)

Indicated

Note: As used in this Article 10, the term interdivisional service includes interdivisional, interseniority district, intradivisional and/or intraseniority district service.

An individual carrier may establish interdivisional, interseniority district, intradivisional or intraseniority district service, in freight or passenger service, subject to the following procedure.

Section A

With respect to runs which do not operate through a home terminal or home terminals of previously existing runs which are to be extended the carriers may proceed as follows:

(1) A letter of intent setting forth the particulars of the service to be established will be served on the Organization, provided that not more than 2 such letters of intent are permitted to be pending concurrently and that each letter of intent may involve no more than 3 separate proposed operations.

(2) A meeting will be held within 10 days of the date of the letter of intent, attended by representatives of the Railway Company and the General Committee or Committees, and a "Task Force" will be appointed for the purpose of meeting and discussing the details of operation of the runs specified in the Carrier's letter of intent, and reach an agreement if possible. The Railway Company and the General Chairman or General Chairmen may each designate representatives to serve on the "Task Force."

(3) During a period of 30 days following the date of the letter of intent the Task Force will discuss the details of operation and working conditions of the proposed runs but if the parties are unable to agree, at the end of the 30-day period the run or runs will be operated on a trial basis until completion of the procedures referred to in Paragraphs (5) and (6).

(Article 10, Section A Cont'd)

Ditto

(4) Subsequent to the 30-day period in which the operation is discussed by the Task Force, the assignments will be placed in effect and operated by the Carrier on the basis of working conditions referred to in Section C for a test period of 60 days.

(5) At the end of the 60-day test period referred to in Paragraph (4) the parties will hold conferences for the purpose of negotiating an agreement to cover the operation of the interdivisional assignments.

(6) If the parties have not reached agreement within 30 days following the 60-day test period, the matter will be submitted to the ranking labor relations officer of the Railway Company and a vice president of the UTU for disposition. If not disposed of within 30 days by them, the matter will be submitted to arbitration for final and binding decision in accordance with the Railway Labor Act. Decision of the Arbitration Board will be made within 180 days after the date of the letter of intent referred to in Paragraph (1).

Section B

With respect to runs which an individual carrier proposes to operate through a home terminal or home terminals of the run or runs it proposes to extend pursuant to this Article, the following procedures will be followed:

(1)(a) The Carrier may serve notice of intent to establish a rule under which such runs may be established. Within 10 days of receipt of such notice by the Organization, its authorized representatives and those of the Carrier shall meet for the purpose of establishing conditions, consistent with the minimum requirements of Section C of this Article, to be included in such a rule. If agreement is not reached by those representatives within 90 days of the notice of intent, the matter will be referred to a Task Force for final and binding determination of such conditions.

(b) The Task Force shall consist of one member to be appointed by the management of the individual carrier, one member appointed by the Organization and one neutral member to be appointed by the National Mediation Board. The decision of this Task Force prescribing the conditions under which such runs may be established consistent with the minimum requirements of Section C of this Article shall be made within 180 days of this notice of intent.

(Article 10, Section B Cont'd)

Ditto

(c) In its decision the Task Force shall include among other matters decided the provisions set forth in Article 11 of this Agreement for protection of employees adversely affected as a result of the discontinuance of any existing runs or the establishment of new runs resulting from application of this rule, and in addition may give consideration to whether or not such rule should contain a provision that special allowances to home owners should be included because of moving to comparable housing in a higher cost real estate area.

(2) Upon establishment of the rule provided for in Paragraph (1) (a), above, the Carrier may serve a letter of intent on each affected General Chairman of its intention to establish such runs. The Carrier may have no more than 2 letters of intent pending concurrently and each letter of intent may involve no more than 3 proposed operations. Within 10 days of the date of the letters of intent provided for herein the authorized representatives of the Carrier and the Organization will appoint a Task Force to discuss and agree upon the details of operation and working conditions of the proposed run or runs, but if the parties are unable to agree within 30 days of the date of the letter of intent, the matter will be submitted to arbitration for final and binding decision in accordance with the Railway Labor Act. The decision of the Arbitration Board will be made within 60 days of each letter of intent provided for herein.

Section C

Reasonable and practical conditions shall govern the establishment of the runs described above including but not limited to the following:

(1) All miles run over 100 shall be paid for at the mileage rate established by the basic rate of pay for the first 100 miles or less.

(2) When crews are required to report for duty or are relieved from duty at a point other than the on and off duty points fixed for the service established hereunder, the Carrier shall authorize and provide suitable transportation for the crews.

(3) Crews will be allowed a \$2.00 meal allowance after 4 hours at the away-from-home terminal and another \$2.00 allowance after being held an additional 8 hours.

(Article 10, Section B Cont'd)

Ditto

(c) In its decision the Task Force shall include among other matters decided the provisions set forth in Article 11 of this Agreement for protection of employes adversely affected as a result of the discontinuance of any existing runs or the establishment of new runs resulting from application of this rule, and in addition may give consideration to whether or not such rule should contain a provision that special allowances to home owners should be included because of moving to comparable housing in a higher cost real estate area.

(2) Upon establishment of the rule provided for in Paragraph (1) (a), above, the Carrier may serve a letter of intent on each affected General Chairman of its intention to establish such runs. The Carrier may have no more than 2 letters of intent pending concurrently and each letter of intent may involve no more than 3 proposed operations. Within 10 days of the date of the letters of intent provided for herein the authorized representatives of the Carrier and the Organization will appoint a Task Force to discuss and agree upon the details of operation and working conditions of the proposed run or runs, but if the parties are unable to agree within 30 days of the date of the letter of intent, the matter will be submitted to arbitration for final and binding decision in accordance with the Railway Labor Act. The decision of the Arbitration Board will be made within 60 days of each letter of intent provided for herein.

Section C

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(2) When crews are required to report for duty or are relieved from duty at a point other than the on and off duty points fixed for the service established hereunder, the Carrier shall authorize and provide suitable transportation for the crews.

(3) Crews will be allowed a \$2.75 meal allowance after 4 hours at the away-from-home terminal and another \$2.75 allowance after being held an additional 8 hours.

(Article 10, Section C Cont'd)

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(4) In order to expedite the movement of interdivisional runs, crews on runs of 100 miles or less will not stop to eat except in cases of emergency or unusual delays. For crews on runs of more than 100 miles, the Carrier shall determine the conditions under which such crews may stop to eat. When crews on runs of more than 100 miles are not permitted to stop to eat, members of such crews shall be paid an allowance of \$1.50 for the trip.

Section D

Interdivisional, interseniority district, intradivisional or intraseniority district service in effect on the date of this Agreement is not affected by this Article 10.

Section E

The foregoing provisions are not intended to impose restrictions with respect to establishing interdivisional, interseniority district, intradivisional or intraseniority district service where restrictions did not exist prior to the date of this Article 10.