

ARTICLE 13 - ASSIGNMENTS - EXERCISING SENIORITY

Art. 13  
Sec. A Bkm  
Art. 23  
Sec. A Cdr  
Modified

Section A - Regular Assignments

Regular assigned crews shall be kept on their regular assignments, unless otherwise provided for in this Agreement.

Section B - Earnings Protection - "Make Whole"

Art. 13  
Sec. B Bkm  
Art. 23  
Sec. A Cdr  
Modified

If a Conductor or Brakeman is used off his regular assignment in the same grade of service, in no case shall he be paid less than he would have earned on his regular assignment. The loss of earnings is to be computed in the same manner that Article 21, Section C provides for Brakemen who are used as Emergency Conductors except all service (Emergency Brakeman and Conductor) earnings shall be included in the computations.

Section C - Displacement Rights

Art. 36  
Sec. B Bkm  
App. Item 5 Bkm  
Revised

(1) A Conductor or Brakeman who has been displaced for any reason may displace any junior Conductor or Brakeman in accordance with the provisions of this Agreement (or he may exercise any Yardman seniority rights he may have in accordance with the provisions of the Yardmen's Schedule and Article 24, Section F of this Agreement).

New

(2) A Conductor or Brakeman who has been displaced may also elect to displace (bump) onto any assignment that is under bulletin (whether occupied by a junior employe or unoccupied) and thereupon assume the assignment if he has bid on the assignment. Such a bid cannot be withdrawn. Consequently, if there is no bid from an employe who is senior to the displacing employe, the displacing Conductor or Brakeman will remain assigned to the assignment when the bulletin expires.

Art. 36  
Sec. C Cdr  
Art. 15 (f) Bkm  
Modified

(3) When a Conductor or Brakeman is displaced from his assignment, or becomes assigned to another assignment, he shall be so notified at once by the Carrier.

M/U  
10/1/57 Cdr.  
Art. 15 (e) Bkm  
Modified

(4) When a Conductor or Brakeman who has been displaced has not exercised his seniority within 8 hours after the time he was notified of his displacement, he will be considered to be laying off. In such a case, he must (when he does displace) comply with the provisions of Article 16, Section A.

(Article 13, Section C. Cont'd)

L/A signed  
10/23/59 Bkm  
Modified

Note: That part of the above provision which reads, "time he was notified" means the "time the Conductor or Brakeman is contacted personally by the proper Carrier representative by telephone or otherwise," and the 8 hours, referred to above, will commence to run from that time.

New

(5) When a Conductor or Brakeman is displaced (bumped) under agreement rules from either a temporary assignment or a regular assignment, he will be promptly released and permitted to exercise his seniority. If the man who thus exercises his displacement rights fails to immediately assume (i.e., assume it on the next trip that is commenced at the lay-off point, as defined in Article 16, Section C) the assignment by reason of taking vacation or exercising his seniority rights to a temporary (6-day) vacancy on some other assignment (for these 2 reasons only), the displaced (bumped) employe will continue to hold the assignment during this interim of time or until he is otherwise relieved or displaced under other provisions of this Agreement.

New

(6) A displacement cannot become effective for that trip or shift if it occurs, either, less than 90 minutes prior to the on-duty time of the assignment or after another Conductor or Brakeman has been actually called; nor can it occur at other than the lay-off point of the assignment. (See Article 16, Section C and the exception in Section D of that Article.)

New

(7) When a regular assigned Conductor or Brakeman who is occupying a temporary (6-day) vacancy on some other assignment is displaced from his regular assignment, he may not exercise his displacement rights onto another regular assignment (if he elects to remain on the temporary vacancy) until displaced from that temporary vacancy. However, he may do so if he elects to immediately assume the new regular assignment. (See Article 15, Section A(3) in regard to situations where the employe is displaced from a 6-day vacancy.)

(Article 13, Cont'd)

Section D - Giving Up Assignments

Art. 13  
Sec. C Bkm  
Art. 23  
Sec. B Cdr  
M/A eff.  
11/10/73  
App. Item 14 Cdr  
M/A eff.  
4/1/75 Cdr  
REVISED

(1)(a) A Conductor may voluntarily give up a regular assignment to revert to the Conductors' Extra Board or to displace a Conductor in pool service if there is a junior Conductor assigned to the Extra Board or in pool service (at the time of his notification and at the time the bulletin expires). Similarly, a regular Pool Conductor can give up his regular assignment to revert to the Extra Board if there is a junior employe on the Extra Board (at the time of his notification and at the time the bulletin expires). Subject to those conditions, when a Conductor desires to give up a regular assignment and revert to the Conductors' Extra Board or to displace a Conductor in pool service, he must give written notification to the Caller or proper Carrier Officer and to the Conductors' Local Chairman (failure of the Local Chairman to receive his copy of the notification does not invalidate the request). Upon receipt of such notification, the Conductor's assignment will be bulletined. The Conductor who is giving up the assignment will be required to remain on the assignment during the life of the bulletin and will not be allowed deadhead pay when released from the assignment.

(b) Similarly, a Brakeman may voluntarily give up assignments the same as specified in the above paragraph.

(2) If there is no junior Conductor (or Brakeman) assigned to the Conductors' (or Brakemen's) Extra Board, or regular assigned in pool service at the time the bulletin expires, the bulletin will be canceled and the assigned Conductor (or Brakeman) will retain his assignment.

(3) A Conductor (or Brakeman) may not, under the provisions of this Section, displace another Conductor (or Brakeman) who is occupying a temporary (6-day) vacancy in pool service, unless the Conductor (or Brakeman) to whom the pool assignment regularly belongs is the junior Conductor (or Brakeman) in that set of pool crews and is junior to the Conductor (or Brakeman) who is reverting.

(Article 13, Section D Cont'd)

Ditto

(4) A Conductor (or Brakeman) who gives up his regular assignment under the provisions of this Section D in order to revert to the Extra Board or to displace in pool service, will not be permitted to bid on the vacancy that he created, unless he has been displaced since he left the assignment.

(5) This Section D does not permit a Conductor to give up a Conductor's assignment to exercise seniority as a Brakeman. It does not permit a Brakeman to give up a Brakeman's assignment in order to exercise his seniority as a Conductor. It does not permit a Road Conductor or Brakeman to give up an assignment to exercise seniority as a Yardman, or vice versa.

(6) Upon expiration of the bulletin the Conductor (or Brakeman) voluntarily giving up his assignment must displace the youngest Conductor (or Brakeman) in pool service or may revert to the Extra Board. Where there is more than one set of pool crews on the seniority district, he may exercise his seniority to the set of pool crews of his choice; but he must displace the youngest Conductor (or Brakeman) in that set of pool crews.

Section E - Other Rules

(1) Other provisions of this Agreement provide that an employe may not bid or exercise his seniority while he is on vacation and this includes giving up an assignment.

(2) Article 16, Section C provides that assignments shall be relinquished or assumed, as a result of the exercise of seniority, only at the defined lay-off point, subject to the exception contained in Section D of that same Article.

Art. 36 Cdr  
Art. 37 Bkm  
M/A eff.  
9/5/70  
Modified