

ARTICLE 30 - GENERAL RULES

Section A - Handling Pool Crews

Art. 17
Sec. A Bkm
Art. 26
Sec. A Cdr
M/A eff.
12/21/53 Bkm
Revised

Awds. Nos. 75
& 99, PLB 37

(1)(a) Crews not assigned to regular runs shall be designated as pool crews and shall be run first-in/first-out on their assigned territory, except in cases of absolute necessity (see INTERPRETATION under Paragraph (b), below) or as otherwise provided in this Agreement. On districts where cabooses are not pooled, cabooses shall be assigned to the pool crew and will hold the turn for the pool crew. Pool crews will be entitled to all unassigned freight and unassigned work train service (except as otherwise provided for in Article 4, Section B). They will work straightaway or turnaround in the unassigned service for which called. They may also, as part of their trip, make side trips of which they are notified before they leave the initial terminal (i. e., switching limits if it is a yard) of the trip. (See Section H of this Article in regard to emergency side trips.) Subject to the limitation contained in Section F of this Article, "bum crews" (i. e., crews composed of extra employes) will be used in unassigned service for which regular pool crews are not available.

Interpretations:

Awd. No. 70
SBA 234

(1) When a pool crew is properly notified to make a side trip and then (after they leave their initial terminal) is instructed not to make it, they will be entitled to the side trip mileage in addition to actual miles run.

Awds. Nos. 75 &
99, PLB 37

(2) Pool crews called for straightaway service may be turned back and paid continuous time for the trip because of the provisions of Article 35, Section B.

Art. 17
Sec. A Bkm
Art. 26
Sec. A Cdr
M/A eff.
12/21/53 Bkm
Revised

(b) Pool crews shall be kept on their assigned territory except in cases of absolute necessity. In the event a pool crew is used off their assigned territory they shall be returned with locomotive and caboose only, or deadheaded, to their assigned territory. When a pool or "bum" crew is used off their assigned district, the crew will be allowed a separate day's pay for such service (time or miles basis). This rule does not apply when the crew is called for service on another seniority district under the "absolute necessity" provisions or when detouring over another seniority district or another carrier's tracks.

(Article 30, Section A Cont'd)

New

Interpretation:

"Cases of absolute necessity" have been interpreted to include situations where pool or "bum" crews are used to protect a train on an adjoining (another) seniority district for which a crew of that other district cannot be made available without delaying the train. The crew that is used is not entitled to an additional (penalty) day but only to the working day. They are entitled, when possible, to be deadheaded home (with pay) after completing that one trip.

Art. 17
Sec. A Bkm
Art. 26
Sec. A Cdr
M/A eff. 12/21/53 Bkm
Revised

(c) When a pool crew in other than work train service is used to perform miscellaneous work train service en route, Article 32, Section B shall apply.

Note: See Section H of this Article in connection with lapbacks and side trips.

(2) (a) A pool crew will not be aggregated out of their home terminal (except in cases of absolute necessity) when another pool crew or "bum" crew is available. When necessary to use a pool crew or "bum" crew (composed of extra or emergency employes) in such cases, the unrested pool crew will not be considered to be "runaround" and will not be entitled to claim because thereof. Bum crews are to be treated and handled as though they were pool crews from the time they are called until they tie up at the home terminal.

Existing
Understandings
& Settlements

(b) In applying the foregoing provision of this Paragraph (2), the pool crew shall not be considered to be aggregating (and shall be used) if the "pool crew turn" has been in the terminal and tied up for 8 hours or more (or 10 hours if required by the Hours of Service Law or if a member of the crew requested 10 hours' rest under the provisions of Article 17). If there is no regular assigned member of the crew (or an employe who is occupying a 6-day vacancy on it) who is marked up on the crew, the rest limitations shall not apply and the "pool crew turn" shall be called in turn without any regard to the time it has been in the terminal.

Art. 23
Sec. C Cdr
Art. 17
Sec. A Bkm

(3) There will be no preferred crews assigned in through freight service operating over the same territory where pool crews are handled under the first-in/first-out rule unless agreed upon by the General Chairman and the Director of Labor Relations.

(Article 30, Cont'd)

Section B - Order Of Mark-Up

Art. 17 Bkm
Art. 26 Cdr
Revised

(1) Except where otherwise provided in this Agreement, pool crews working into a terminal will be marked up on the basis of their arrival at the terminal (without regard to terminal delay); provided, however, if a crew is in work train service and performs some work train service after arriving at the terminal, their off-duty time shall govern their order of mark-up on the board. "Arrival at the terminal," as used here, means the time they arrive at the "point fixed" for final terminal delay purposes.

(2) Pool crews deadheading (with or without pay) into a terminal will be marked up at, and on the basis of, the time that the deadheading ceases (i. e., if by train, immediately ahead of the working crew; if by automobile, when the automobile stops at the register point; and, if by intercity bus, at the time the bus stops at the depot or point where they debark), except as otherwise specified in this Agreement.

(3) If the mark-up time of 2 or more pool crews (under the above provisions) occurs simultaneously and the foregoing provisions do not resolve the order of mark-up, they shall be marked up in the order in which they were last called at the home terminal.

New

(4) In the event there are 2 pool crews deadheading, one to an intermediate point and the other to a more distant point, the first-out pool crew will be called for the nearest point (i.e. intermediate station) and the second-out pool crew will be called to deadhead to the more distant point.

Section C - Runaround

Art. 17
Sec. B Bkm
Art. 26
Sec. B Cdr.

(1)(a) If a pool crew is runaround at a terminal, through no fault of their own, the Conductor and Brakemen on the crew shall each be paid not less than one day's pay at minimum through freight rate and go behind other pool crews in that terminal.

(Article 30, Section C Cont'd)

M/U eff.
7/1/62 Bkm/Cdr
Modified

(b) A pool crew (including a "bum crew") will not be considered runaround when they go out on a train for which they were properly called. An exchange of pool crews and trains will be made at terminals, if it is evident that the second-out pool crew is going to leave the terminal before the first-out pool crew, if this exchange can be done without causing too great a delay to either train. Any movements made in connection with the original trains prior to exchanging crews will not be considered as a violation of the Agreements and initial terminal delay shall be computed as set forth in Article 31, Section B.

Exception:

M/A eff.
12/15/75 Bkm/Cdr

A pool crew that is called for extra work train service will not be exchanged with another pool crew that has been called for freight service, and in such circumstances, the penalty provided for in Paragraph (1)(a), above, shall not apply. It will, however, be permissible in cases where a pool crew has been called in freight service, and it then becomes necessary to call a pool crew in wrecker service, to change that crew to wrecker service in order to avoid delay to the wrecker.

L/U dated
9/15/67 Cdr
JJR/WRH
Modified

(2) With regard to Conductors only, a Conductor who stands first-out on a Pool crew at the away-from-home terminal will not be considered runaround if he is not called to make a trip that he does not have time to work under the Hours of Service Law. If the actual service performed is less time than this Conductor has to work, he will be entitled to the penalty as provided for in Paragraph (1)(a), above.

M/A eff.
11/1/74 Bkm/Cdr

(3) Pool crews shall not be required to make a turnaround trip out of an away-from-home terminal point more than once in succession if there is another pool crew at that point that is rested and available for the call, and when otherwise possible to avoid the second turn. This rule contemplates that someone on the train crew will make a written request (at or before the time they tie up after making the first turnaround) that the crew not be used on the successive turnaround trip and then the other crew will be used around them while they remain first-out for the next call (and the penalty provided by Paragraph (1)(a), above, shall not apply).

(Article 30, Cont'd)

Section D - Pool Crews Or Extra Employes Called And
Not Used

Art. 17
Sec. C Bkm
Art. 26
Sec. C Cdr
and Claim
Settlements
Modified

(1) An employe who is called for service or deadheading and then is released, will be allowed a day's pay (at the minimum rate applicable to the service of deadheading for which he was called) and be marked up behind other employes in the same type of service then in that terminal.

Award No. 198
S. B. A. No. 574

(2) Carrier is not liable for this "called and not used" penalty in situations where the call is simply changed from service to deadhead, or vice versa.

Art. 17, Sec. C Bkm
Art. 26, Sec. C Cdr
& Claim Settlements

(3) When an employe is called but is later notified before he leaves his residence or lodging place that the call is canceled, no payment will be made.

Section E - Mileage-Pool Crews

Art. 17
Sec. D Bkm
Art. 26
Sec. D Cdr
M/A eff. 7/1/57
(Med. Case A-5424,
3014-21) Modified

(1) The number of crews in pool service shall be regulated so they will make between 3300 and 3800 miles per month, and such crews shall not be reduced or increased except through negotiations between proper Carrier Officers and Local Chairmen or their designated representatives.

(2) (a) Except as otherwise provided in this Section, adjustments will be made at 12:01 P.M. on the 1st and 16th day of each month.

M/A eff. 7/1/57
(Med. Case A-5424,
3014-21) Modified

(b) In the event the proper local Carrier Officer believes that the demands of the service require additional pool crews be added between adjustment dates, the proper local Carrier Officer will first advise the proper Local Chairmen at the point involved and such temporary addition(s) will be made in accordance with the mutual understanding that the needs of the service must be protected at all times. When the need for the additional pool crews has ceased to exist, upon request from either Local Chairman the proper local Carrier Officer will promptly reduce the number of pool crews to the number agreed upon on the checking day immediately prior to the time such temporary addition(s) became necessary.

(Article 30, Section E Cont'd)

M/U dated 1/21/53
3014-39-2 Bkm
Modified

(3) In the event that one of the Local Chairmen requests an adjustment and the other Local Chairman is not agreeable, the Carrier will be the referee of the dispute. The procedure will be as follows: A check will be made of the miles from the 1st to the 15th, or from the 16th to the 30th, whichever half of the month is involved. The 31st day of any month will not be counted. In the last half of February, use enough days in the preceding half to build it up to a 15-day half. If the pool crews on the involved subdivision averaged 1650 miles for the 15-day half (this average mileage to include the mileage made by extra crews, terminal and all arbitrary allowances, with the exception that overtime will be figured at pro rata rate per mile instead of time and one-half), the Carrier Officer will not remove a crew. If the crews averaged in excess of 1900 miles, the Carrier Officer will add a pool crew at the request of either Local Chairman and over objection of either one. Conductors and Brakemen will be assigned to a particular pool crew.

New

Existing
Understanding
Modified

(4) When a pool crew is to be abolished under the provisions of this Section, the crew to be abolished shall be the one in that set of pool crews with the most junior regularly assigned Conductor; except that if one of the Pool Conductor assignments is under bulletin, that crew shall be the crew that is abolished.

Section F - Accumulation Of Pool Crews

Art. 17
Sec. E Bkm
Art. 26
Sec. E Cdr

When the current of business results in the accumulation of pool crews at a terminal away from the origin of traffic on the division, they shall be deadheaded or run back so as to protect the business with the regularly assigned pool crews on the subdivision. "Bum crews" will not be used when it can be avoided.

Section G - Beginning And Ending Of Day

Art. 17
Sec. H Bkm
Art. 3
Sec. D Cdr

In all road service compensated time shall begin when the Conductor and/or Brakeman is required to report for duty, and shall continue until the time they are relieved from duty. (See Section I of this Article.)

(Article 30, Cont'd)

Section H - Freight Service:

Short Turnaround; Side Or Lapback
Trips; Short Trips To Or From A
Terminal Or An Intermediate Point

Art. 17
Sec. I Bkm
Art. 26
Sec. H Cdr

(1)(a) Pool crews may be called to make short turnarounds with the understanding that more than one turnaround trip may be started out of the same terminal and paid actual miles, with a minimum of 100 miles for a day, provided: (1) that the mileage of all the trips does not exceed 100 miles; (2) that the distance run from the terminal to the turning point does not exceed 25 miles; and (3) that the crew shall not be required to begin work on a succeeding trip out of the 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.

Existing
Understanding

Note: The above paragraph has no application to "long turnarounds" for which a pool crew is called on a single-trip basis.

Existing
Understanding

(b) The following turnaround trips are permitted and are exceptions to the provisions of Section I of this Article, and to the other provisions of this Paragraph (1):

Crystal City - St. Louis)
Neodesha - Cherryvale)
Paris - Hugo) 2 turns only
Fort Scott - Arcadia)
Thomas Yard - Dora)
Fort Smith - Jenson - Unlimited
Madill, Ardmore, Durant Runs:

In the question as to pay of pool crews assigned to what is known as the Madill, Ardmore and Durant run:

It is proper to extend the run of this crew to Durant and return, paying for the two doubles, one way, Madill to Ardmore and return; and the other Madill to Durant and return, actual miles, or hours, in case the latter was earned.

(Article 30, Section H Cont'd)

Existing
Understanding

It is understood that this is not an attempt to begin the practice of running pool freight crews through their established terminals. When a freight train gets to the end of its run, which in the case of a pool freight crew is the established terminal, if called again, it will begin a new trip--with the exception, of course, of turnarounds, which are authorized by agreement.

Art. 17
Sec. I Bkm
Art. 26
Sec. H Cdr

(2) When either a pool crew or a crew in regularly assigned service is required to make an emergency side or lapback trip between their terminals within the scope of Supplement 25, miles made will be added to the mileage of the regular trip and paid for on a continuous time basis. Such crews to be confined to their assigned territory. Side trips under the meaning of this Article are for the purpose of protecting livestock, perishables and locomotive failures, in addition to emergencies as defined in Article 37.

Art. 17
Sec. I Bkm
Art. 26
Sec. H Cdr

(3) Short trips from a terminal to an outlying point and return, from an outlying point to a terminal and return, or from an intermediate point to another intermediate point and return, on account of locomotive failure, running for fuel or water, running for wreck car or carmen, or on account of derailment, when such conditions arise in connection with their own train, crews will be paid continuous time or mileage.

Award No. 70
S. B. A. #234

(4) Even when no emergency is involved, a pool crew may be notified at any time prior to the time that they leave their initial terminal (i. e., switching limits if it is a yard crew point) to make a side trip, and this will not be considered as being run off their assigned territory. When a pool crew is so notified they will be entitled to the mileage of the side trip regardless of whether or not they actually make the side trip involved.

Section I - Terminal Provision

Art. 17
Sec. O Bkm
Art. 32 Cdr

When a crew has completed its trip to a terminal and is ordered out on another run or run off their assigned territory before completing trip, it will be considered as commencing another day and not continuous mileage.