

ARTICLE 32 - COMBINATION SERVICE-CONDUCTOR/
BRAKEMAN

Section A - More Than One Class Of Road Service-
Applicable To Conductors And Brakemen
(Award of Board of Arbitration of December 3,
1952 and effective February 1, 1953, except
as modified by Section B)

Art. 37 Cdr

Adopted here for
Brakemen in lieu
of "Two Or More

Classes of Road Serv. "
Nat. Agr. Rule

Road Conductors and Brakemen employed
in any class of road service may be required to perform 2
or more classes of road service in a day or trip subject to
the following terms and conditions:

(1) Payment:

(a) Except as qualified by Paragraph (1)(b)
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.

(b) Road Conductors and Brakemen 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 (except as otherwise provided by
Section B hereof).

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.

Overtime rate shall apply to the extra
compensation only to the extent that the additional service
results in overtime for the entire day or trip or adds to
overtime otherwise payable for hours required for the
regular trip.

Examples for the application of this Paragraph (1)
(b) are:

(i) An employee in through freight service
on a run of 100 miles is on duty a spread of 8 hours,
including 2 hours of another class of road service--
Employee will be paid 100 miles or 8 hours at pro
rata rate for the trip plus 2 hours at pro rata rate

(Article 32, Section A Cont'd)

Ditto

for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.

(ii) An employee in through freight service on a run of 100 miles is on duty a spread of 9 hours, including 2 hours of another class of road service--Employee will be paid 100 miles or 8 hours at pro rata rate for the trip plus one hour at pro rata rate and one hour at time and one-half for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.

(iii) An employee in through freight service on a run of 100 miles is on duty a spread of 10 hours, including 2 hours of another class of road service--Employee will be paid 100 miles or 8 hours at pro rata rate for the trip plus 2 hours at time and one-half for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.

(iv) An employee in through freight service on a run of 100 miles is on duty a spread of 12 hours, including 2 hours of another class of road service--Employee will be paid 100 miles or 8 hours at pro rata rate plus 2 hours at time and one-half for the trip plus 2 hours at time and one-half for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.

(v) An employee in through freight service on a run of 150 miles is on duty a spread of 10 hours, including 2 hours of another class of road service--Employee will be paid 150 miles or 12 hours at pro rata rate for the trip, plus 2 hours at pro rata rate for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.

(Article 32, Section A Cont'd)

Ditto

(2) This Section A Applies To:

(a) Unassigned and/or assigned road service.

(b) Another class of road service regardless of when notified, whether at time called, at the outset of, or during the tour of duty.

(c) Passenger service, except that helper or pusher service not a part of the regular passenger assignment, or wreck or work train service, should not be required except in emergencies.

(3) This Section A does not involve the combining of road with yard service nor modify or set aside:

(a) Lapback or side trip rules except when a combination of service includes work, wreck, helper or pusher service and such movements are made in the performance of work, wreck, helper or pusher service.

(b) Conversion rules.

(c) Terminal switching and/or special terminal allowance rules.

Section B - Miscellaneous Work Train Service

Art. 7 Bkm
Art. 17 Cdr
Revised

In lieu of provisions of Section A (1)(b) above, when crews in revenue road service are required to perform work train service en route, Road Conductors and Brakemen on such crews will be paid separate and apart from all other compensation for the trip for all time consumed in such service on the minute basis with a minimum of one hour and one-half. See definition of work train service (Article 4, Section A) and the following interpretations.

Interpretations:

(1) The 1 hour and 30-minute minimum allowance applies to the day or trip and does not apply to each separate time that miscellaneous work train service may be performed during a particular day or trip. When miscellaneous work train service is performed on several occasions, each separated by the performance of revenue service, an operational delay,

(Article 32, Section B Cont'd)

Ditto

while waiting to perform revenue service, a respite or a meal period, the time expended in miscellaneous work train service shall be computed separately on each occasion and then totaled at the end of the day to determine the allowance that is due. When a crew that is on duty and under pay is sitting idle waiting to perform work train service, such waiting time shall be included in the miscellaneous work train time. Where work train service is continuously performed, it would be continuously computed even though revenue service was simultaneously performed during part of that time.

(2) When a crew was required to stop their train under "tell-tales" to permit a maintenance man to adjust those "tell-tales" the time thus stopped was held to be miscellaneous work train service as contemplated by this Section B.

(3) When a crew was instructed to spot their locomotive next to another dead locomotive so a maintenance man could apply a jumper cable and start the dead locomotive while the crew was eating, it was held that the crew did not perform work train service. Likewise, they did not perform work train service in another case, when they simply stopped their train near the mechanical track (making no special locomotive movement) and waited while a maintenance man applied the jumper cable and started the dead locomotive. In still another dispute it was agreed that where the crew was required to cut off from their train, moved their locomotive near the dead locomotive and waited while the maintenance man applied the jumper cable and started the dead locomotive, they did thereby perform work train service.

(4) Road crews called in unassigned work train service, after completing such service and while en route back to their terminal, were required to perform some industry switching and handle revenue cars to the terminal: Award held that they were entitled only to the highest rate of pay and not to the work train allowance.

(Article 32, Section B Cont'd)

Ditto

(5) An assigned mine switcher was required to shove cars under a tipple and pull them down as they were loaded with company chatt: Award held that they were entitled to the work train arbitrary for such time.

Section C - Mine Switching Service

App. Item 26 Bkm
App. Item 9 Cdr
Revised

In the application of the "More Than One Class Of Road Service" rule (Section A, above), any question about whether or not mine work is performed (by other than mine switcher crews) will be determined in accordance with the following:

(1) Mine work will be considered switching performed in a mine installation where there is a tipple and a series of tracks serving that installation exclusively. A straight pickup or straight setout not to be considered mine work.

(2) The spotting of or pulling cars from tracks which serve wagon or truck mines, which merely deposit their products in cars from a ramp, is not considered mine work. Sand and gravel pits, rock quarries and similar industries are not considered mines under the meaning of this Section, which is not intended to enlarge upon the service which has heretofore been considered mine work; likewise, this Section is not intended to change the work classification at any point where service performed has been paid for at mine rate in the past.

Section D - Conversion Rule

App. Item 3 Bkm
App. Item 10 Cdr
Revised

(1) Through Freight Crews

When through freight crews do local freight work, local freight rate of pay shall apply for the entire day or trip.

(2) Local Freight Work Defined

(a) Local freight work is construed to mean station and industry switching, loading, and/or unloading

(Article 32, Section D Cont'd)

Ditto

merchandise or packing house products (PHP) and the loading and/or unloading of company material and supplies from supply cars. "Industry" as used herein does not apply to mines (covered by Section C of this Article).

(b) The following work by through freight crews will not constitute "station and industry switching" (i.e., local freight work).

They may set out cars which have been moved in their own train or pick up cars for movement in their own train; they may pick up these cars from any track, or in case of setouts, shove them into any track including the house track. They may spot cars set out provided they are not required to perform any switching of other cars in order to accomplish this.

They may pick up from behind other cars and respot the cars thus disturbed at original location, spot cars set out if no switching of other cars necessary and make one setout and one pickup at the same station (setting out and picking up on 2 or more tracks, even when one track would not hold all of the setout or pickup, is station or industry switching except when done on interchange tracks).

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(c) The performance of yard work in a yard under the provisions of Article 29, Section B does not constitute the performance of local freight work.

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Awd. No. 11715

(d) Making an interchange delivery does not constitute the performance of local freight work.

Section E - Weighing By Through Freight Crews

App. Item 4 Bkm
App. Item 12 Cdr.
MEMO: There is a dispute between the parties as to whether or not this rule applies to weigh-in-motion scales.

Through freight crews required to weigh cars will be paid local rate.