

ARTICLE 35 - TIED UP AWAY FROM HOME TERMINAL
AND TIED UP BETWEEN TERMINALS

Section A - Tied Up Away From Home Terminal

(Item Third of the November 21, 1947
National Agreement effective January 1,
1948)

Art. 17
Sec. J Bkm
Art. 26
Sec. F Cdr

(1) Employees in pool freight and in unassigned service held at other than home terminal will be paid on the minute basis for the actual time so held after the expiration of 16 hours from the time relieved from previous duty at a rate per hour of 1/8 of the daily rate paid them for the last service performed. If held 16 hours after the expiration of the first 24-hour period from the time relieved, they will be paid for the actual time so held during the next succeeding 8 hours, or until the end of the second 24-hour period, and similarly for each 24-hour period thereafter.

(2) Should an employee be called for service or ordered to deadhead after pay begins, held away from home terminal time shall cease at the time pay begins for such service or *deadheading.

*Note (FRISCO Agreement):
Pay for deadheading begins at the time
the train departs.

(3) Payments accruing under this rule shall be paid for separate and apart from pay for subsequent service or deadheading.

(4) For the purpose of applying this rule the Carrier will designate a home terminal for each crew in pool freight and in unassigned service.

Section B - Tied Up Between Terminals--On Duty
Less Than 10 Hours

Art. 17
Sec. K Bkm
Art. 17
Sec. M Bkm
M/A eff.
9/15/72 Bkm
Art. 29
Sec. A & B Cdr
Revised

(1)(a) When other than work train crews are tied up by the Carrier between established terminals or regular tie-up points, or between the terminals of an assigned run, they will be considered under pay at the expiration of 10 hours off duty, and will continue under pay for 8 hours unless called for service or deadhead before the expiration of 8 hours. On such trips a minimum of 100 miles will be allowed each crew to the tie-up point and a new day will commence when the crew resumes duty; this rule to apply only when crews are tied up before the

(Article 35, Section B Cont'd)

Ditto

expiration of 10 hours on duty. Crews tied up after the expiration of 10 hours on duty shall be paid in accordance with Section C of this Article. Pool freight crews tied up between terminals under this rule for less than an 8-hour period of rest will be paid continuous time for the trip.

(b) Computation of initial terminal delay, where applicable, is started from the time they actually report for duty and not from time pay begins at expiration of 10 hours off duty.

(2) If such crews are held 16 hours after the expiration of the first 18-hour period, crews will be paid continuous time for the next succeeding 8 hours, or until the end of the 24-hour period, and similarly for each 24-hour period thereafter. Should the crew be called for duty after pay begins under this Section B, time will be computed continuously.

(3) (a) When Springfield Subdivision pool crews (called at Springfield) are tied up at Monett under the provisions of this Section B, they will not be runaround by other Springfield Subdivision pool crews making Springfield-Monett turns.

(b) When Cherokee Subdivision pool crews (called at Tulsa) are tied up at Afton under the provisions of this Section B, they will not be runaround by other Cherokee Subdivision pool crews making Tulsa-Afton turns.

(4) See Article 45, Section B in regard to not tying up crews between terminals at points where eating and sleeping accommodations are not available.

Section C - Crews Tied Up Between Terminals
Under The Hours Of Service Law

Art. 17
Sec. M Bkm

(1) Under the laws limiting the hours on duty, crews in road service will not be tied up unless it is apparent that the trip cannot be completed within the lawful time

(Article 35, Section C Cont'd)

Ditto

and not then, until after the expiration of 10 hours on duty under the federal law, or within 2 hours of the time limit provided by state laws, if state laws govern.

(2) If road crews are tied up in a less number of hours than provided in the preceding paragraph, they shall not be regarded as having been tied up under the law and their services will be paid for under Section B of this Article.

(3) When road crews are tied up between terminals under the law, they shall again be considered on duty and under pay immediately upon the expiration of the minimum legal period off duty applicable to the crew, provided, the longest period of rest required by any member of the crew, either 8 or 10 hours, to be the period of rest for the entire crew.

(4) A continuous trip will cover movement straightaway or turnaround, from initial point to the destination train is making when ordered to tie up. If any change is made in the destination after the crew is released for rest, a new trip will commence when the crew resumes duty.

(5) Road crews tied up under the law will be paid the time or mileage of their schedules from initial point to tie-up point. When such crews resume duty on a continuous trip, they will be paid miles or hours, whichever is the greater, from tie-up point to the next tie-up point, or to the terminal. It is understood that this Section does not permit crews to be run through terminals unless such practice is permitted under other provisions of this Agreement.

(6) Road crews tied up for rest under the law and then towed or deadheaded into terminal, with or without locomotive or caboose, will be paid therefor the same as if they had run the train to terminal (i. e., continuous time until they arrive at the off-duty point in the terminal).

Note: If crews are towed or deadheaded before legal period of rest has expired, they will be paid continuous time the same as if they had not been tied up.

(7) See Article 45, Section B in regard to not tying up crews between terminals at points where eating and sleeping accommodations are not available.