

## ARTICLE 4 - WORK TRAINS

### Section A - Definition

Art. 7  
Sec. A Bkm  
Art. 17  
Sec. A Cdr  
Modified

(1) A work train crew is a crew used for the loading or unloading of Company material, or other Company service, or for the hauling of train loads of Company material of any description, except coal, over all or a part of their district, when the material being handled is destined to the district upon which they are employed; or a run assigned 6 days or more (per week) to the handling (loading or unloading) of Company material of any description between points on 2 or more seniority districts, in which case they may be run through terminal, if the total distance of the trip in one direction is not more than 100 miles. Where work train crews are assigned to 2 or more freight seniority districts, blanket (i. e., interdivisional) service rules shall apply.

Existing  
Understanding  
Modified

(2) Work train crews, whether protected as regularly assigned or unassigned service, may operate straightaway, turnaround, move back and forth or any combination thereof, without any limitation whatsoever except (when regularly assigned service) their assigned territorial limits.

### Section B - How Manned

Art. 7  
Sec. C Bkm  
Art. 17  
Sec. J Cdr  
Modified

Work train service of less than 6 days need not be bulletined and shall be manned by pool crews, unless the Local Committees and the proper Carrier Officer have agreed to use extra employees. Work train service of 6 consecutive days or more shall be bulletined. This rule does not preclude the performance of work train service by other road crews under the provisions of Article 32 of this Agreement or to work train service performed within switching limits under the provisions of Section I of this Article.

### Section C - Bulletining Assignments

Art. 7  
Sec. B Bkm  
Art. 17  
Sec. B Cdr  
Revised

(1) Work trains may be bulletined and assigned as regular assigned service to work 6 days, 6 days or more, or 7 days (per week), on all or a part of a seniority district (see Section A above). Although such an assignment will have a designated layover point (i. e., home terminal of the assignment), it may be tied up

Ditto

(Article 4, Section C, Cont'd)

wherever convenient on any particular day; but the crew must be returned (worked or deadheaded) to either the layover point or the home terminal of the district for the rest day, if the assignment has one. If possible, work trains shall be bulletined far enough in advance of commencing work to have the regular crew assigned.

Interpretation:

New

If a bulletined work train assignment does specify that the assignment is to tie up daily at one particular location, then the crew must be worked or transported to that location for their rest each day.

Art. 7

Sec. B Bkm

Art. 17

Sec. B Cdr

Revised

(2) (a) Work train crews assigned 6 days or more (per week) shall not be required to remain within calling limits for use on the 7th day unless they are notified before 6:00 P.M. on the 6th day.

(b) If so notified and not used, they shall be paid one day's pay at their regular rate.

Section D - Guarantee

M/A eff.

4/1/68 Bkm N/P

M/A eff.

1/1/69 Cdr N/P

Modified

(1) When regular assigned crews in work train service are not called or used on runs or days called for in accordance with their bulletined assignment, they will be allowed a minimum day's pay for all days not worked. If through an Act of Providence it is impossible to perform regular service, this rule does not apply. When it is decided that an assignment is to be annulled more than 2 consecutive bulletined working days because of an Act of Providence, the assignment will, instead, be abolished and the regular assigned members of the crew will be allowed to exercise their seniority.

(2) Crews in unassigned work train service held away from home terminal shall be allowed a minimum day's pay at work train rate of pay for each calendar day held and not used.

(Article 4, Cont'd)

Section E - Ten Hours Off Duty

Art. 7  
Sec. F Bkm  
Art. 17  
Sec. D Cdr  
Modified

Crews in unassigned work train service tied up at intermediate points shall automatically be under pay at the expiration of 10 hours off duty, unless subsequently used in work train service.

Section F - Duties Of Conductors And Brakemen

Art. 7  
Sec. G Bkm  
Art. 17  
Sec. E Cdr  
Modified

Conductors and Brakemen shall not be required to perform any part of manual labor in work train service, such as handling cables, putting up or opening side or middle dumps, closing dump cars, putting in or taking out stakes, handling side boards, air or steam compressor or handling car plows. Neither shall Conductors nor Brakemen be required to act as Foremen.

Section G - Transporting Laborers

Art. 7  
Sec. H Bkm  
Art. 17  
Sec. F Cdr  
Modified

Regular work trains required to transport laborers to or from work shall be furnished an extra car for the accommodation of the laborers.

Section H - Crews Eating On Wreckers

Art. 7  
Sec. I Bkm  
Art. 17  
Sec. G Cdr

Crews handling wreckers shall be furnished their meals while en route to and from accident and working at same, when wrecking outfit is equipped with eating facilities.

Section I - Operated Within Switching Limits

Art. 7  
Sec. J Bkm  
Art. 17  
Sec. H Cdr  
Modified

Road Conductors and Brakemen shall have the right to man work trains that are operated partly within switching limits and partly on the road adjacent to such switching limits. Exception: Where 2 or more crews are employed in work train service operating partly on the road and partly in a yard within the same seniority district, the Local Committees may insist on a division of such service, if practicable, to permit a yard crew or crews to perform that portion of the work that is within the switching limits. Yardmen shall have the right to man all work train service operating exclusively within the recognized confines of switching limits.

Reference  
Added

Note: Work trains may handle revenue loads in accordance with Article 32, Section B (4).

March 18, 1983

Mr. L. W. Lewis, Jr.  
Local Chairman L-1388  
1853 San Luis Rey Parkway  
Fenton, MO 63026

Dear Sir and Brother:

Reference your letter with attached file appealing time slip no. 1 in favor of Fireman J. L. Schumacher, claiming three hours and twenty-five minutes, December 16, 1982, account miscellaneous work train service.

A review of the file indicates that Fireman Schumacher was working Road Switcher No. 13441 on the date of claim and that during his tour of duty, his crew was required to switch company material cars to be spotted for loading. The cars were later re-switched on the instructions of the Steel Gang Foreman and subsequently spotted for loading. We find no evidence or assertion that the crew was involved in the actual loading of any company material or that they waited while the cars were being loaded.

Attached is a copy of Award No. 13 of Public Law Board No. 131 which addresses the question of whether such handling of company material cars constitutes work train service. The ultimate decision of the Board is contained in the first paragraph on page 2 of the Award which states:

"Under said practice a road crew like the one here involved is agreed to be in work train service if, after hauling a load like the subject one, it does not proceed with its usual work (as here) but waits around until the car of material has been unloaded."

The interpretations contained in Article 7, Section B of the Firemen's Schedule also contemplate that a crew does not perform work train service by merely handling or spotting cars unless they wait while other employees perform some duties in connection with those cars.

Mr. L. W. Lewis, Jr.  
March 18, 1983  
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For the reasons stated above, it is our opinion that the claim is invalid due to lack of merit and agreement support; and it is returned herewith for your disposition.

Fraternally yours,

ORIGINAL SIGNED BY  
J.W. REYNOLDS

J. W. Reynolds  
General Chairman

JWR/sw