

MEMORANDUM OF AGREEMENT

IT IS AGREED:

The provisions of the Yardmen's Agreement, effective January 1, 1973, are revised as follows:

ARTICLE 13

(a) Men entering the service as yardmen shall be extra until a permanent vacancy occurs or new assignments are created. Yardmen entitled to regular assignments will not be permitted to remain on the extra board except as otherwise provided in regard to foreman vacancies.

(b) (1) After a yardman has been in yard service for five (5) months, he will be given a questionnaire. He will be permitted to study these questions for a period of thirty (30) days and then will be required to pass a written test for promotion to foreman. Should he fail this test he will be given a second test, after he has acquired six (6) more months of yard service, and should he fail this test he will be considered as a permanent helper, i. e., helper-fixture. The above is not intended to prohibit a yardman from qualifying himself in a lesser period of time if he so desires.

(2) Once a yardman has satisfactorily passed the examination for foreman, he will be required (if working in yard service) to protect all foreman vacancies in accordance with Article 16, Section C, except when properly disqualified as incompetent or bona fide physical reasons attested to by a competent physician.

(3) Employees holding seniority as yardmen as of July 1, 1973 that are already qualified as foremen, including those who have waived their rights to protect foremen vacancies, will be considered as qualified foremen and need not repeat the qualifying test.

(4) Those employees who are in yard service as of July 1, 1973, that have not been promoted to foreman, will be required, within a three (3) month period from July 1, 1973 (but not before they have six (6) months yard service), to take the examination for promotion to foreman.

(5) Employees holding yardmen's seniority as of July 1, 1973, who desire to permanently waiver their foremen's rights, must do so by notifying the Superintendent (copy to Local Chairman) in writing on or before July 30, 1973. If they do so, they will thereafter be considered to be a helper-fixture and will be treated in the same manner as a yardman who has failed the two attempts at qualifying.

(6) Those employes who hold yardmen's seniority as well as brakemen's seniority, in accordance with Article 40, Section C, who are working as a brakeman will be permitted to take the foreman examination earlier if they desire, but they will be required to take the examination as soon as practical whenever they return to yard service and have accumulated six months yard service. Thereafter the same conditions, as explained in Paragraph (2), will apply.

(7) A yardman must be a qualified foreman before he will be permitted to protect individual assignments (e. g. yard pilots) which pay yard foreman rate of pay. It will also be necessary that he be a qualified foreman before he would be entitled to consideration for training as a car retarder operator or extra yardmaster (Article 13 (h)).

(8) At the time a yardman becomes qualified as foreman, if there is a senior yardman who has been force-assigned as foreman, the newly qualified foreman must release the senior man and assume the assignment. (The senior man has displacement rights.)

(9) Qualified foremen will be indicated by an asterisk, commencing with the first seniority roster issued after he is promoted. Yardmen who have not been examined and promoted may be used in emergencies to act as foremen when in the judgment of the Superintendent they have sufficient qualifications to act in this capacity on certain assignments. Emergency use as foreman not to be considered an act of promotion.

(c) (Retained)

(d) (Cancelled)

(e) (Retained)

(f) (1) (Cancelled)

(f) (2) (Retained)

(g) (Retained)

(h) In the appointment of Yardmasters and Assistant Yardmasters, the oldest qualified yardman who is a promoted foreman shall be considered.

(The UNDERSTANDING presently under Sec. (h) and the provisions of Sec (i) to remain unchanged.)