

ARTICLE 15

TEMPORARY VACANCIES (5-Days)

Revised
Art. 13-C (2&6)

(a) Temporary vacancies, except vacation vacancies, existing for more than five days will, on the sixth day, be given to the senior man making application for same, who will hold the vacancy until the regular man returns to work, until he is displaced by another man or until he relinquishes the assignment, under the provisions of this Article 15. "Applications," as contemplated above, must be made in writing, in exactly the same manner as "bids" are to be made as set forth in Article 14(b).

Article 15 (Cont'd)

Revised
L/A 12/27/65

MODIFIED

EXAMPLE #1: If a yardman's assignment is vacant for any cause (except vacation) it shall be considered a temporary vacancy under this rule.

EXAMPLE #2: Five-day vacancy for yardman arises and no one makes application for same, it being filled from extra board.

Question: If a yardman is displaced (bumped) or his job abolished is he allowed to exercise seniority on such a temporary position?

Answer: A displaced (bumped) employe could displace (bump) on any assignment either held by yardman junior to him or on a five-day vacancy to which no one had been assigned.

EXAMPLE #3: Yardman off three (3) days in advance of vacation and he does not return to his assignment after vacation completed. The three days prior to his vacation should be computed in figuring the five days.

Appendix Item 2
Paragraph 25

The assigned rest days will be counted in determining when a temporary vacancy has existed for more than 5 days where the rest days intervene after the first day of the vacancy. A calendar day will be calculated from 12:01 a.m. of the first day of the vacancy. Below are some examples of correct handling under this interpretation:

Appendix Item 2
Paragraph 25 (Cont'd)

EXAMPLE #A: If a yardman assigned 7:00 a.m. - 3:00 p.m. Monday through Friday with Saturday and Sunday as assigned rest days lays off Friday and remains off several days, vacancy of more than five days would be determined by counting the five consecutive calendar days commencing with Friday, including the rest days of Saturday and Sunday.

EXAMPLE #B: Using 12:01 a.m. as the starting time for figuring the first day of the vacancy, if the yardman was assigned 11:59 p.m. - 7:59 a.m. and laid off Friday, the first day of the vacancy would be Friday and such vacancy would be assigned as of 11:59 p.m. the following Wednesday.

Article 15 (Cont'd)

"

EXAMPLE #C: In the above example if the man laid off between the completion of the shift which started 11:59 p. m. Friday and the assigned starting time of 11:59 p. m. Monday, the first day of the vacancy would be Monday. In other words the rest days did not intervene and would not be counted as days in figuring the vacancy.

"

Where a yardman on the extra board is the successful applicant for a temporary or permanent vacancy and the assignment would otherwise be effective on rest day of job to which assigned, he will not be considered assigned until the first day of the work week of job he bids in.

Article 13 C (7)

(b) When a yardman is assigned a temporary vacancy in accordance with this Article, he will be required to remain on it until the regular man returns to work, except:

Article 13 C (7)(a)

(1) If the yardman filling the temporary vacancy bids in and is assigned to a regular job, he will be placed on the regular job before the temporary vacancy expires if he so desires.

M/A 11-20-63
Article 13 C(7)(b)
As Revised

(2) If a yardman is displaced from a regularly assigned job, he may displace a yardman from a temporary vacancy if senior to the yardman holding such temporary vacancy. However, before being so assigned to such temporary vacancy, he must first indicate the regular assignment he desires before he is placed on the temporary vacancy. If by such exercise of seniority he displaces a junior man regularly assigned to the job temporarily vacant, he will then become regularly assigned to such job instead of being in the status of holding same as a temporary vacancy.

Article 13 A (7) (d)

(c) When a yardman is displaced (bumped) under agreement rules from either a temporary assignment or regular assignment, he will be promptly released and required to exercise his seniority or be marked on the extra board

Article 15 (Cont'd)

in accordance with agreement rules. If the man who thus exercises his displacement rights fails to immediately take the assignment by reason of taking vacation or exercising his seniority rights temporarily on some other assignment, the displaced (bumped) man will continue to hold the assignment during this interim of time or until he is otherwise relieved or displaced under other provisions of the Yardman's Schedule.

Article 13 C (8)

(d) Yardman filling a temporary vacancy which he has bid in under Section (a) of this Article cannot bid in another temporary vacancy while he is working a temporary vacancy.

Article 13 C (9)

(e) A yardman who is laying off or absent for any cause may, after returning to service, displace (bump) on any temporary vacancy which was created during his absence.