

ARTICLE 27

SECTION A

YARD WORK

Article 26 (a)

MODIFIED

Article 26 (b)

MODIFIED

(1) Except as otherwise provided all work done exclusively within switching limits will be given to the Yardmen from that seniority list.

(2) Yardmen shall have the right to man all work train service operating exclusively within the recognized confines of the switching limits.

Article 27 (Cont'd)

Article 26 (c)

MODIFIED

REVISED

Article 26 (d)

Appendix 12
as Revised 5/1/69

1964 National Agreement

(3) Except as otherwise provided, all light engine movements outside of roundhouse areas that involve throwing hand-operated switch or switches, flagging or performing any other work that is commonly recognized as duties properly belonging to yardmen shall be accompanied by pilot.

(4) Except as otherwise provided, the duties required of pilots must be agreed upon by the proper officer of the Carrier and the Local Chairman of the UTU.

(5) The function of bleeding air brakes is not vested solely in yardmen and it is not a violation of the Yardmen's Agreement when other employes of the Carrier bleed air from cars to which a switch engine is not, at the time, coupled.

(6) Self Propelled Machines-Yard Service. (Article III, Section 1, Paragraph (b) of National Agreement, June 25, 1964)

A yard foreman will be employed on on-rail self-propelled vehicles or machines operating within general switching limits provided such machines have sufficient power to move freight cars; and, if more than two cars are handled at any one time a yard helper will also be employed.

This provision will not apply to the operation of self-propelled vehicles or machines in confined areas such as shop tracks, supply areas, tie yards and so forth, except that with respect to such self-propelled machines now working in the confined areas where rules or practices require the employment of a yard ground man, such rules and practices are preserved and the yard foreman's rate will apply to this service.

(Article 27 Continued)

SECTION B

ROAD-YARD MOVEMENTS

MofA 6/24/55

(1) It is permissible for road crews in yarding trains at terminals where track on which yarded will not hold the entire train to fill that track to capacity and permit the overflow to extend out on the rear, or where track is filled to capacity and rear of train is pulled into clear on track on which yarded the overflow may extend out on head end, provided no doubleover is required of the roadmen.

When a train is yarded in this manner, the entire train will be left intact. No other move will be required of the road crew in connection with the yarding operation.

MODIFIED BY
1972 National Agreement

(2) Where a doubleover of an inbound train is required of road crew, they will make the doubleover from the head end and it will not be permissible to leave a portion of the train extending out of the track on the rear.

MODIFIED

(3) Inbound train crews will not be instructed to stop short of the clearance point. This provision does not apply to "run-through" trains.

Appendix 13
MODIFIED By Article IX
of 1972 National Agreement

(4) The head brakeman in freight service may be required, as part of his regular duties, to set his inbound locomotive from train to a yard track or his outbound locomotive from yard track to train, provided the yard track is in that part of the yard where train is yarded or made up.

1972 National Agreement

(5) (Article IX of January 27, 1972 National Agreement)

(a) Road freight crews may be required at any point where yard crews are employed to do any of the following as part of the road trip, paid for as such without any additional compensation and without penalty payments to yard crews, hostlers, etc.: one straight pick up at another yard in the initial terminal (in addition to picking

(Article 27 Continued)

up train) and one straight set out at another yard in the final terminal (in addition to yarding the train); pick up and/or set out at each intermediate point between terminals; switch out defective cars from their own trains regardless of when discovered; handle engines to and from train to ready track and engine house including all units coupled and connected in multiple; pick up and set out cars of their trains from or to the minimum number of tracks which could hold the cars provided, however, that where it is necessary to use two or more tracks to hold the train it is not required that any track be filled to capacity; and exchange engine of its own train.

(b) The foregoing is not intended to impose restrictions with respect to any operation where restrictions did not exist prior to the date of this Agreement. There will be no change in work permitted or compensation paid to combination assignments, such as mine runs, tabulated assignments, etc.

(6) Run-through Trains - Outbound road trainmen may be required to relieve inbound road trainmen at terminals before train is completely yarded and complete the yarding if only a straightaway move is necessary. This will not entitle roadmen nor yardmen to penalty payment.

(7) FAYETTEVILLE: Roadmen on Fort Smith Sub-division may set out and/or pick up cars together at Fayette Junction and Fayetteville or Efay when yard crew is or is not on duty. This applies to trains turning as well as trains operating through Fayetteville. First set out and/or pick up, if Fayetteville is the crew's initial or final terminal, is covered by Article 27, Section B (5).

(8) The following handling by road passenger men is permissible and does not constitute switching:

REVISED
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1946 Switching Agreement
MODIFIED

Paragraph 3
1946 Switching
Agreement

(Article 27, Section B Continued)

Turning train or engine on either inbound or outbound trip by heading around leg of wye and backing into or out of station at Joplin, Okmulgee, Wichita, St. Louis and Memphis. At Joplin, picking up and/or setting out cars on rear of train at passenger station; at Jonesboro and Okmulgee, setting train out and picking train up from side or yard track at passenger station.

Paragraph 5, 1946 Switching Agreement
MODIFIED

Memo: In the event that "defective cars" as used in Art. IX of the 1/27/72 Nat. Agreement is held to include "no bills" this paragraph will thereby be eliminated.

Paragraph 8
1946 Switching Agreement
MODIFIED

(9) In all yards, "no bill" cars found in the train after it is made up may be set out by road crews when yard engine is on duty and is not immediately available. In yards listed in Paragraph (10) in the event yard crew is not on duty, road crews may set out "no bill" cars found in train after yard crew has gone off duty. Road crew making set-out of "no bill" cars to be compensated by payment of one hour pro rata road rate independent of all other allowances of their trip.

(10) Except as otherwise provided in Article 27, Section C, there will be no less than one regularly assigned yard crew maintained at each of the yards listed except that the minimum at Joplin shall be two crews:

Joplin	Jonesboro	Francis
Muskogee	Cape Girardeau	Arkansas City
Okmulgee	Fayetteville	Paris
Lawton (effective 5/3/65)		

At Paris, this agreement to maintain a yard assignment applies only during the time the yard is operated under jurisdiction of the SL-SF Railway Company. When Paris yard is under jurisdiction of G. C. & S. F. Railway Company, this agreement applies to St. L. -S. F. Railway Company's roadmen in same manner as when the yard is operated under the jurisdiction of the SL-SF Railway Company.

(11) The following paragraphs apply during the first 12-hour period (except Agreement at Okmulgee) in yards in which road crews cannot otherwise perform yard service during that first 12-hour period under the provisions of Article 27, Section C (5).

(Article 27, Section B Continued)

Paragraph 2
1946
Switching Agreement
MODIFIED

(a) During such first 12-hour period, road passenger brakemen may handle or change their own road engine when yard engine is not on duty at yards listed in Paragraph (10) and shall be paid for such service on the basis of actual minutes at pro rata rate with a minimum of 15 minutes.

Paragraph 6
1946 Switching
Agreement
MODIFIED

(b) During such first 12-hour period, in yards listed in Paragraph (10), when yard crew is not on duty, road passenger men may be required to handle their own train or motor car to and from yards and depot and they shall be compensated for such service on the minute basis with a minimum of 30 minutes pro rata rate independent of the road trip.

Paragraph 9
1946
Switching Agreement
MODIFIED
Memo:

Special agreement at Okmulgee:
Assigned Road Switcher and locals switching at Okmulgee (if this is not their initial or final terminal) receive arbitrary of actual time switching with 1 hour minimum, at any time of day.

(c) During such first 12-hour period, when yard crew is not on duty at yards listed in Paragraph (10), roadmen on local freight, road switchers or mine switchers, may be required to make up their own train in addition to performing service provided in Paragraph (9). Through freight crews may perform the same service at Francis, Oklahoma, when yard crew is not on duty. When these moves are made by roadmen they shall be paid on a minute basis with a minimum of one hour pro rata road rate of pay independent of allowance for the road trip.

Paragraph 10
1946 Switching
Agreement
MODIFIED

(d) During such first 12-hour period, in yards listed in Paragraph (10), in addition to set-outs or pick-ups covered by Article 27, Section B (5), when yard crew is not on duty road crews may be required to place cars from their own train containing livestock, perishable freight, and merchandise for delivery to connecting line or lines, or for unloading, and/or pick up cars containing livestock, perishable freight and merchandise to go forward in their own train, when these cars were not ready for movement or were placed on interchange after the yard crew had gone off duty. When these moves are made by roadmen, they shall be paid on a minute basis with a minimum of one hour pro rata road rate of pay independent of allowance for their road trip.

(Article 27, Section B Continued)

Paragraph 12
1946 Switching
Agreement

REVISED
MofA
2/16/59

1946 Switching Agreement

(12) Roadmen shall not be required to classify their trains en route between terminals of their runs or maintain blocks for their final terminal or beyond.

NOTE: The above will not apply to cars being used by Government authorities to transport troops or other Government personnel and/or special Government material, due to requirement of shipper (Government) that such cars be placed in, or kept in certain position in train.

(13) When yard work is required of roadmen in yards, not outlined in this Agreement as permissible and provided for, road crews performing the work shall receive one day yard rate of pay in addition to their allowance for their road trip and three yardmen first out and available for call at the time of the occurrence will be paid a minimum day at yard rate of pay.

SECTION C

COMBINATION ROAD-YARD SERVICE

(Article V of the June 25, 1964 National Agreement.)

The last yard crew assignment in a yard or on a shift where more than one yard assignment is employed, may be discontinued under the following conditions: (Yard as used herein is defined to mean a common terminal point where a seniority roster for yard ground men is maintained.)

(1) In the case of the last yard crew assignment in a yard, such assignment may be discontinued if a joint study indicates that the average time consumed in switching is less than four hours within a spread of ten hours for ten consecutive working days. The ten hours referred to will begin concurrently with the starting time of the particular yard crew assignment. If switching increases to the point where there is an average of more than four hours of such work within any spread of the same ten hours for ten consecutive working days, as previously assigned, the yard crew assignment will be restored.

Article 27 (Cont'd)

In the case of a yard crew assignment on a particular shift (in yards where more than one yard crew is operated), such yard crew assignment may be discontinued if a joint study indicates that there is an average of less than four hours switching within the spread of 12 hours for ten consecutive working days, this spread to begin at the starting time of the yard crew assignment which the carrier seeks to discontinue. In computing the time engaged in switching only the time consumed by the yard engine the Carrier seeks to discontinue will be considered, subject to the provisions of Paragraph 10 hereof. The same formula will be adhered to in the restoration of the discontinued assignment, using the second twelve-hour period as set forth in Paragraph 5.

NOTE: The studies referred to in this Paragraph 1 shall be conducted in the following manner:

Where a carrier proposes to discontinue the last yard crew assignment in a yard or on a shift where more than one yard assignment is employed, it shall give ten (10) days' written notices of the proposed discontinuance to the representatives of the employees involved, advising the names of the carrier's officials who are designated as its representatives for the purpose of the study, and the date on which the study will begin. At any time prior to the date the study is to begin, the representatives of the employees involved shall advise the carrier of the names of their representatives for the purpose of the study. If such representatives are not so named, or fail to participate, the study may be conducted by the representatives of the carrier. In either event, the result of the study shall be binding on the parties for the purpose of this rule.

The same procedure will be adhered to in conducting studies proposed by the representatives of the employees for the restoration of assignments that have been discontinued under the provisions of this Paragraph 1.

Article 27 (Cont'd)

(2) The provisions of Paragraph 1 hereof are not intended to impose restrictions in regard to discontinuing yard crew assignments where restrictions do not now exist.

(3) Road crews may perform any yard service at yards where yard crews are not employed.

(4) Road crews may continue to perform any yard service now permitted, without additional payments, if such payments are not now required.

(5) At points where a yard crew or yard crews are employed, the starting time of the first yard crew assignment shall begin a twelve-hour period (herein called the first twelve-hour period) within which road crews may not perform yard service not permitted on the day immediately preceding the effective date of this agreement. Road crews may be required to perform any yard service during a second twelve-hour period beginning at the expiration of the first twelve-hour period provided yard crew assignments are not assigned to start or terminate during such second twelve-hour period.

(6) No change in work permitted or compensation paid to combination assignments, such as Mine Run, Tabulated assignments, etc.

(7) Switching service in yards by road crew when yard crew is not on duty, as a result of the discontinuance of yard crew assignment pursuant to Paragraph 1 hereof, shall be paid for on the minute basis, with a minimum of 1 hour at appropriate yard rates.

(8) If overtime accrues under applicable road overtime rules during the period switching is being performed, such overtime payments will be made in addition to the payments required under Paragraph 7 hereof.

Article 27 (Cont'd)

(9) Initial and final terminal delay rules shall not be disturbed by this Section C except that when road crews perform yard service for which they are compensated under the provision of Paragraph 7 hereof during a period to which initial terminal delay or final terminal delay rules are otherwise applicable, such road crews will be paid either terminal delay or switching, whichever will produce the greater amount of compensation.

(10) The yard switching work for which compensation is previously allowed to road crews for that specific yard work and yard switching work by road crews which required penalty payments to yard crews will be considered switching for the purpose of Paragraph 1 of this Section C.

(11) Every employee deprived of employment as the immediate and proximate application of this Section C, shall be entitled to the schedule of allowances set forth in Section 7(a) of the Washington Agreement of May 21, 1936; or to the option of choosing the lump-sum separation allowance set forth in Section 9 of said Agreement. In addition to the foregoing, employees who do not elect to accept the lump-sum separation allowance set forth in Section 9 of said Agreement, if qualified, may elect within one year from the date of their furlough to prepare themselves for some other occupation for which training is available (of the type approved by the Veterans Administration under the Veterans' Readjustment Assistance Act of 1952), with the carrier paying 75 per cent of the tuition costs of such training for a period not exceeding two years. Whenever and to the extent that the United States Government makes provisions for retraining out of public funds, the obligation of the carrier shall be reduced correspondingly. Those employees who elect to accept the lump-sum separation allowance set forth in Section 9 of the Washington Agreement of May 21, 1936 will not be entitled to retraining benefits.

(Article 27 Continued)

SECTION D

STATION ORDER

Article 39 of BRT
MODIFIED

REVISED
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(1) Where possible in making up trains, at points where yardmen are employed, all short loads and empties shall be switched in station order and placed on head end of train.

(2) Provisions of Paragraph (1) is not to apply in respect to the position in train of so-called high-and-wide loads, cars placarded to move on rear of train or next to engine only, cars which under Interstate Commerce regulations or laws must be spaced a specified number of cars from engine or caboose, cars being used by Government authorities to transport troops or other Government personnel and/or special Government material, due to requirement of shipper (Government) that such cars be placed in, or kept in certain position in train, or live stock which operating rules require placement at a certain location in train.

(3) When trains are not made up in station order as provided in Paragraph (1) and exception in Paragraph (2), trainmen who handle the train and yard crew first out and available for call at the time train departs from initial terminal will each be allowed a day at yard rate.