

ARTICLE 33

CAR RETARDER OPERATORS (CRO)

SECTION A  
CLASSIFICATION

Car Retarder's Agreement  
1/3/56  
REVISED

CRO positions are classified as yardmen and made subject to all rules of this Agreement which are applicable to individual positions such as pilots, switchtenders, bull ring men, except as otherwise provided in this Article.

SECTION B

QUALIFICATIONS

(This Section B is applicable only to the initial training of CRO's when car retarders are initially placed in operation in a yard or terminal where yardmen are employed.)

MODIFIED

(1) Advance notice will be posted so the senior yardmen who desire to qualify as CRO's may make written application. This application must be made to the Superintendent within ten days from date of the notice. In event a senior employe is on an approved leave of absence, absent on account of vacation, illness, or other reason which does not impair his seniority rights, during the time applications are being received, returns to work during this training period and desires to qualify, he will be included in the list of the specified number of trainees and the junior applicant will be eliminated from the list.

MODIFIED

(2) The agreed upon number of senior yardmen who make application will be given on-the-job training and instructions for the number of shifts to be specified by the Superintendent. The starting date of the training period for each employe will be designated by the Superintendent. Applicants will be selected in seniority order. If any of the designated trainees withdraw their applications, or are disqualified during the training period, the next senior applicant or applicants will be added to the list to supplant those thus eliminated.

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(3) Trainees will be allowed CRO rate for each eight-hour shift in training. They must remain in attendance the complete eight-hour shift in each instance to qualify for this trainee allowance.

(4) Superintendent will be the judge as to the duration of the training period and when the trainee is qualified. Any trainee may be disqualified at any time during the training period when in the judgment of the Superintendent the trainee has clearly demonstrated inaptitude and lack of ability to qualify. If the trainee objects to his disqualification, he may make written request for investigation within ten days from date of disqualification.

(5) Applicants for trainee positions will not be used as yardmen while in training on any day they are paid as a trainee. This not to apply in cases of emergency which creates a shortage of yardmen.

## SECTION C

### SENIORITY

(1) At the expiration of the training period for each applicant, or group of applicants who train simultaneously, a bulletin will be posted by the Superintendent showing the names of those qualified. Letters CRO will be shown on the yardmen's seniority roster opposite the names of those qualified as CRO's. Their seniority date as CRO shall be the same as their yardman seniority date.

(2) Positions of CRO's then established will be bulletined and assigned to the senior qualified applicants under provisions of Section H (2) of this Article. If no applications received, the junior qualified man or men will be assigned.

(3) Subsequent to the training period outlined in Section B, yardmen who desire to qualify for CRO positions will make written application to the Superintendent. Applicants who have not less

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than 260 days actual service as yardmen with this Carrier will be given an opportunity to qualify on their own time without expense to the Carrier. This authority will be granted by the Superintendent to applicants in seniority order and at times specified by him. Employees whose qualifications are certified by the Superintendent under the provisions of this Paragraph(3), when placed on an assignment will be required to serve a test period of fifteen shifts to demonstrate their fitness and ability. They may be disqualified prior to completion of the test period when their performance demonstrates lack of fitness and ability to continue subject to provisions of Section B (4).

(4) No employe will be assigned or allowed to assume the duties of CRO until his qualifications are certified by the Superintendent. After an employe is certified, satisfactorily passes the test period provided for in Paragraph(3), and it is desired to disqualify him from further service as CRO, he will be notified in writing and will be given an investigation, if requested, under the provisions of Article 22, Section A.

SECTION D

DUTIES

CRO's, while working as such, will not be required to perform other yardman duties unrelated to operation of car retarders except in cases of emergency. They will not be required to maintain records or make reports not incidental to car retarder operation. Accident and personal injury reports on prescribed forms covering accidents and injuries occurring during their tour of duty, and time returns are normal requirements of CRO's.

SECTION E

STARTING TIME

Article 9, governing starting time of yard crews will apply to CRO's.

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SECTION F

ASSISTING TRAINEES

When CRO's are required and authorized during their tours of duty to assist trainees in learning the duties of CRO's, they will be allowed \$2.00 per shift, or part thereof, for this duty. Supervisory responsibilities for this purpose other than to give advice necessary to properly instruct trainees will not be delegated to CRO's.

SECTION G

POINT FOR BEGINNING AND ENDING DAY

CRO's will report and be relieved from duty at the Car Retarder Tower.

SECTION H

VACANCIES

Revised 2/1/70

(1) Except as provided in Paragraph (3) below temporary CRO vacancies, and permanent CRO vacancies under bulletin, will be filled by using:

(a) The first out qualified CRO on the Yardmen's extra board who is available to work the CRO vacancy at pro rata rate. If none:

(b) The senior qualified CRO in the terminal who is regularly assigned as yardman (foreman, helper, herder, etc.) to work that day in the same starting time bracket as the CRO vacancy. If none:

(c) The senior qualified CRO (without regard to rest days or to what his Yardman or CRO assignment may be) who can work the CRO vacancy at pro rata rate and who will accept the call. If none:

(d) The senior qualified CRO (without regard to rest days or to what his Yardman

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or CRO assignment may be) who is available to protect the CRO vacancy under the Hours of Service Act and who will accept the call. The junior such man that can be contacted must accept the call.

To be entitled to call under any of the above categories the employe must be available under the Hours of Service Act to protect the 8 hour assignment of the CRO vacancy.

Regular assigned Yardmen used to fill CRO positions, as provided in this Paragraph (1), will be allowed not less than they would have earned on their regular assignment.

(2) Permanent vacancies on both existing and new CRO assignments will be computed, bulletined and assigned in the manner described in Article 14(a); provided, however, in the event no bids are received for a bulletined CRO vacancy the junior qualified CRO (who is not assigned as such) will be assigned and will not be allowed to bid off the position until some man junior to him has become qualified as CRO (and is not assigned as such) or unless some senior qualified CRO signifies in writing that he will accept the position (which will be considered his bid if it is rebulletined).

A CRO force assigned as such, may request, in writing, that the assignment be rebulletined if a junior man has become qualified as CRO or if a senior qualified CRO (not assigned as such) signifies in writing that he will accept the position (which will be considered his bid.) The assignment will be rebulletined and the incumbent will remain on it while it is under bulletin.

(3) (a) In the event that a CRO vacancy exists for more than five days, the senior CRO desiring the same and making written application will be assigned on the sixth day.

(b) Where it is known in advance that a CRO vacation vacancy will exist for five days or more, the senior CRO making written application at least 24 hours in advance of the first starting time, shall be assigned on the first day. This will also apply to CRO vacancies resulting from regularly assigned CRO's exercising rights under

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SECTION I

EXERCISING SENIORITY

Revised 2/1/70

(1) Regularly assigned CRO's may exercise seniority on any yardman (foreman, helper, herder, etc.) assignment in accordance with seniority and applicable rules in the Yardmen's Agreement, provided there is a junior unassigned CRO available to fill the CRO vacancy.

(2) Qualified CRO's who are not regularly assigned as such may enter and re-enter CRO service by --

(a) Bidding for vacancies, or

(b) Exercising displacement rights on to CRO assignments when regular yardmen assignment is abolished, or they are displaced therefrom by a senior yardman.

(3) (a) Qualified CRO's who are regularly assigned as a yardman (foreman, helper, herder, etc.) may relinquish CRO qualification and rights by notifying the proper Carrier Officer in writing. A yardman who does relinquish his qualification and rights may not re-establish them in less than six months (except as provided in Paragraph (3) (b) below, but they may do so by requesting in writing, the opportunity to again establish his CRO qualification. (He may be required to "break-in" on his own time and will be subject to the test period specified in Section C (3) of this Article.)

(b) Qualified CRO's assigned to the Yardmen's extra board may not relinquish their CRO qualifications and rights. A regularly assigned Yardman who has relinquished his CRO qualifications and rights, and then is subsequently assigned to the Yardmen's extra board, will be called for CRO vacancies while on the extra board if the proper Carrier Officer considers him qualified, and such use will re-establish his CRO qualification and rights.

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(c) If an extra yardman does re-establish his qualifications and rights while on the extra board he may, if he subsequently obtains a regular yardman assignment, again relinquish his CRO qualification and rights under the provisions of Paragraph (3) (b) above.

SECTION J

LUNCH PERIOD

CRO's will be allowed twenty minutes for lunch within 4-1/2 and 6 hours from starting time without deduction in pay.