



Agreement

Between

THE KANSAS CITY SOUTHERN RAILWAY COMPANY

and the

BROTHERHOOD OF LOCOMOTIVE ENGINEERS

Governing Rates of Pay,
Rules and Working Conditions
For Engineers in
Passenger and Freight Service

The following rules, regulations and rates of pay shall apply for Engineers on all roads now owned, operated, or leased by The Kansas City Southern Railway Company, including The Arkansas Western Railway Company, or lines hereinafter acquired.

Effective May 1, 1973

In the application of this agreement it is understood that the existing duties and responsibilities of engineers will not be assigned to others. It is further understood that a second engineer is not required in multiple-unit service where the engineer operates the locomotive from one cab with one set of controls. (January 25, 1944 National Agreement)

REPRESENTATION
ARTICLE 1

(a) The General Committee of Adjustment, Brotherhood of Locomotive Engineers, will represent all locomotive engineers in the making of contracts, rates, rules, working agreements and interpretations thereof.

(b) All controversies affecting locomotive engineers will be handled in accordance with the interpretation of the engineers' contract as agreed upon between Management and the Committee of the Brotherhood of Locomotive Engineers.

(c) In matters pertaining to discipline, or other questions not effecting changes in engineers' contract, the officials of the company reserve the right to meet any of their employees either individually or collectively.

PASSENGER SERVICE
ARTICLE 2
Rates Of Pay

(a) Rates of pay as of effective date of this agreement for passenger service are:

<u>Weight On Drivers</u>	<u>Per Day</u>	<u>Per Mile</u>
Less than 80,000 Lbs.	\$38.70	33.80c
80,000 to 100,000 Lbs.	38.70	33.80
100,000 to 140,000 Lbs.	38.79	33.89
140,000 to 170,000 Lbs.	38.87	33.97
170,000 to 200,000 Lbs.	38.96	34.06
200,000 to 250,000 Lbs.	39.05	34.15

(For weights of over 250,000 Lbs., see National Agreement of May 13, 1971)

(b) All motor cars used in passenger service operated under train rules by engineers, regardless of whether operated by gasoline, steam, electricity, or other motive power, to be paid minimum rate in preceding table.

ARTICLE 3
Basic Day And Overtime

One hundred (100) miles or less (straightaway or turnaround), five (5) hours or less except as provided in Section 4, shall constitute a day's work in main line passenger service. Miles in excess of one hundred (100) will be paid for at the mileage rate provided, according to class of engine.

Overtime in all passenger service shall be paid for on the minute basis at a rate per hour of one-eighth (1/8th) of the daily rate herein provided, according to class of engine.

ARTICLE 4
Short Turnarounds

Engineers on short turnaround passenger runs, no single trip of which exceeds eighty (80) miles, including suburban and branch line service, shall be paid overtime for all time actually on duty, or held for duty, in excess of eight (8) hours (computed on each run from the time required to report for duty to the end of that run) within nine (9) consecutive hours; and also for all time in excess of nine (9) consecutive hours computed continuously from the time first required to report to the final release at the end of the last run. Time shall be counted as continuous service in all cases where the interval of release from duty at any point does not exceed one hour. This rule applies regardless of mileage made, and applies to extra and unassigned service on the same basis as it applies to regular service. Overtime will be computed on a basis of twelve and one-half (12½) miles per hour and paid pro-rata on a minute basis.

For calculating overtime under this rule the Management may designate the initial trip.

ARTICLE 5
Daily Guarantee

In all passenger service, the earnings from mileage, overtime or other rules applicable, for each day service is performed, shall be not less than \$40.22 for engineers.

In applying the \$40.22 minimum for engineers in passenger service, it is intended that on assignments where the men run so as to make only the equivalent of a single trip in one direction each day, they will be paid the guaranteed minimum for each single trip.

For example: On a one hundred (100) mile division men double the road Monday, lay over Tuesday, double Wednesday, and lay over Thursday, etc. They shall be allowed the minimum for each leg of their turnaround trip.

On the same division other crews double the road Monday and Tuesday, and lay over Wednesday, double Thursday and Friday, and lay over Saturday. These men make the equivalent of four (4) single trips every three (3) days, and therefore would not be entitled to the minimum for each trip.

ARTICLE 6 Switching And Turning Trains

(a) When passenger engineers are required to switch, turn or handle their train to or from station at terminal or turnaround points they will be paid for same at their hourly rate for actual minutes consumed in addition to other time or mileage made on trip.

(b) Passenger crews may turn train on wye and back to station prior to unloading passengers and after loading passengers may back around wye in departing station, and such moves are not considered switching, but when such moves are made, the additional mileage will be added to the road trip, with a minimum allowance of one (1) mile for each movement.

(c) This rule will not apply to short turnaround runs at turning points.

ARTICLE 7 Terminal Detention

(a) Passenger engineers will be paid on a minute basis for all time from time called to leave station until train leaves station; and from time train arrives at final station until relieved from duty.

(b) Terminal detention in passenger service will not be allowed until after one hundred (100) miles have been run or five (5) hours on duty.

(c) Passenger engineers will not be called to leave later than the probable time of departure for the purpose of avoiding terminal detention. If train arrives prior to time engine crew is called for, terminal detention will begin at time train arrives.

ARTICLE 8
Handling Engines

When passenger engineers are required to take engines with or without train from shops to depot, or vice versa, they will be allowed the actual time in addition to the road trip.

ARTICLE 9
Handling Freight Cars In Passenger Trains

Engineers required to handle a freight car or cars in a passenger train will be paid through freight rates for the actual miles, with a minimum of one hundred (100) miles, such freight cars are handled. Miles paid for at the through freight rate will be deducted from the total mileage of the trip.

ARTICLE 10
Manning Troop Trains

Troop trains will be manned by pool freight engineers who will be paid through freight rate and will be subject to through freight conditions.

FREIGHT SERVICE
ARTICLE 11
Rates Of Pay

(a) Rates of pay for engineers in through and irregular freight, pusher, helper, mine run, or roust-about, belt line or transfer, work, wreck, construction, circus, and all other unclassified service shall be as follows:

<u>Weight On Drivers</u>	<u>Per Day</u>	<u>Per Mile</u>
Less than 140,000 Lbs.	\$42.19	36.90c
140,000 to 200,000 Lbs.	42.62	37.33
200,000 to 250,000 Lbs.	42.79	37.50
250,000 to 300,000 Lbs.	42.94	37.65

(For weights in excess of 300,000 Lbs., see National Agreement on May 13, 1971)

(b) For local or way-freight service 56 cents per 100 miles or less for engineers shall be added to the through freight rates according to class of engine, miles over 100 to be paid pro-rata.

(c) When two or more locomotives of different weight on drivers are used during a trip or day's work, the highest rate applicable to any engine used shall be paid for the entire day or trip.

ARTICLE 12 Basic Day And Overtime

(a) In all classes of service covered by Article 11, one hundred (100) miles or less, eight (8) hours or less (straightaway or turnaround) shall constitute a day's work; miles in excess of miles required for a minimum day will be paid for at the mileage rates provided, according to class of engine or other power used. All trips will be credited to the date on which they begin.

(b) On runs of 100 miles or less overtime will begin at the expiration of eight (8) hours; on runs of over 100 miles overtime will begin when the time on duty exceeds the miles run divided by $12\frac{1}{2}$. Overtime shall be paid for on the minute basis at an hourly rate of $\frac{3}{16}$ th of the daily rate, according to the class of engine or other power used.

ARTICLE 13 Beginning And Ending Day

In all classes of service, engineers' time will commence at the time they are required to report for duty and shall continue until the time the engine is placed on the designated track or they are relieved at terminal. All advance call time rules are superseded, and the Management may designate the time for reporting for service.

ARTICLE 14 Tied Up Between Terminals

Engineers will not be tied up or relieved from duty between terminals except in cases of wrecks, washouts, or other obstructions of track. When so tied up or relieved it will end the trip, and a new day will begin when again going on duty. It is understood that crews tied up or relieved under the terms of this article will be paid under "Held Away From Home Terminal Rule" if held at the tie-up or relief point in excess of sixteen (16) hours. (See also Article 43, Hours of Service Law.)

ARTICLE 15
Short Trips And Turnarounds

(a) Engineers in pool or irregular freight service may be called to make short trips or turnarounds with the understanding that one or more turnaround trips may be started out of the same terminal and paid actual miles, with a minimum of 100 miles for a day; provided (1) that the mileage of all the trips does not exceed 100 miles; and (2) that engineers shall not be required to begin work on a succeeding trip out of initial terminal after having been on duty eight (8) consecutive hours, except as a new day, subject to the first-in first-out rule, or practice.

(b) Engineers required to make short trips from a terminal to an outlying point and return, from an outlying point to a terminal and return, or from one intermediate point to another intermediate point and return, on account of engine failure, defective car, running for fuel or water, running for wreck car or carmen, or on account of derailment, when such conditions arise in connection with their own train, will be paid continuous time or mileage.

ARTICLE 16
Initial Terminal Delay-Through Freight Service

(a) Initial terminal delay shall be paid on a minute basis to engineers in through freight service after one (1) hour and fifteen (15) minutes unpaid terminal time has elapsed from the time of reporting for duty up to the time the train leaves the terminal, at one-eighth (1/8th) of the basic daily rate, according to the class of engine used, in addition to the full mileage, with the understanding that the actual time consumed in the performance of service in the initial terminal for which an arbitrary allowance of any kind is paid shall be deducted from the initial terminal time under this rule.

Note: The phrase "train leaves the terminal" means when the train actually starts on its road trip from the yard track where the train is first made up.

Where mileage is allowed between the point of reporting for duty and the point of departure from the track on which the train is first made up, each mile so allowed will extend by 4.8 minutes the period of one (1) hour and fifteen (15) minutes after which initial terminal delay payment begins.

Note: The phrase "through freight service" as used in this rule does not include pusher, helper, mine run, shifter, roust-about, belt line, transfer, work, wreck, construction, circus train (paid special rates or allowances), road switcher, district runs, local freight and mixed service.

(b) When road overtime accrues during any trip or tour of duty, in no case will payment for both initial terminal delay and overtime be paid, but whichever is the greater will be paid.

(c) When a tour of duty is composed of a series of trips, initial terminal delay will be computed on only the first trip of the tour of duty.

ARTICLE 17

Final Terminal Delay - Freight Service

For freight service, final terminal delay shall be computed from the time the engine reaches designated main track switch connection with the yard track or when held out by switching crews within two thousand (2,000) feet or train is stopped because of yard conditions at final terminal or by a preceding train waiting in, or to enter, yard. This means that should a train arrive at such switch or signal and other trains arrive and stand behind waiting to enter such yard, final terminal delay will be computed for all such trains from the time each train is so stopped.

Final terminal delay will be paid for the full delay at the end of the trip on the minute basis at the pro-rata rate according to the class of service.

If road overtime has commenced, terminal overtime shall not apply and road overtime will be paid to point of final relief.

Time paid for switching at final terminal will be deducted from final terminal time.

Final terminal delay will not apply to regularly assigned local freight crews on runs of seventy-five (75) miles or less, road switcher (dodgers), work, wreck or circus trains.

ARTICLE 18

Terminal Switching And Detention

(a) Engineers required to perform switching before starting any run shall be paid for all time so consumed at the pro-rata rate in addition to the road trip. Road time begins when train is coupled together and initial terminal delay becomes a part of the road trip.

Note: Initial terminal delay before switching commences or after switching is completed will be added to road time and paid for as overtime when the time on road plus the terminal delay exceeds the miles run divided by

twelve and one-half (12 ½); however, this shall not affect initial terminal delay rule contained in the National Agreement of August 11, 1948. (Article 16)

(b) Engineers required to perform switching after the completion of any run shall be paid for all time so consumed in addition to the road trip; the pro-rata rate to apply until overtime starts on the road trip, after which the time and one-half overtime rate shall apply. The time of the road trip shall be computed from the time the initial switching is completed.

(c) Paragraphs (a) and (b) shall not apply to:

- (1) Work trains when required to perform switching in connection with the work in which they are engaged.
- (2) Road switchers (Dodgers).
- (3) Regular assigned local freight on runs of seventy-five (75) miles or less.

(d) Road freight engineers handling engines or trains between Kansas City Southern East Yard, Kansas City, and Union Station, Kansas City, after arrival or before departure of Union Station, Kansas City, will be paid on basis of road rates, actual miles or hours, whichever is the greater, between these points, independent of other allowances in connection with road trip.

(e) Road freight engineers will not be required to perform switching within switching limits at points where yard crews are assigned, except as permitted by the yardmen's schedule agreement. See Addendum No. 5(c).

(f) See also Article V of National Agreement of May 13, 1971.

ARTICLE 19

More Than One Class of Service

(a) Road engineers required to perform a combination of more than one class of road service during the same trip will be paid for the entire trip at the highest rate applicable for any class of service performed on the trip.

(b) Engineers in through or irregular freight service required to pick up and/or set off a car or cars at three (3) or more points, or when the time actually consumed in picking up and/or setting off exceeds one (1) hour and thirty (30) minutes in the aggregate for the entire trip during any one trip or tour of duty will be paid local freight

rates for the entire service performed. The following shall not be considered picking up and/or setting off cars for the purpose of this rule:

- (1) Picking up or setting off cabins or caboose cars at initial or final terminal.
- (2) Picking up cars at first point or setting off cars at last point at which cars are picked up or set off respectfully, within the initial or final terminal.
- (3) At foreign line junction points not exceeding four (4) in number, when interchange cars only are picked up and/or set off.
- (4) Setting out defective cars at any point.
- (5) Doubling hills.
- (6) Setting out or picking up cars (but not setting out and picking up at the same point) for the purpose of adjusting the tonnage of the train to establish engine ratings.

Except as provided in Item (6) above, picking up and/or setting off cars at one point between the time train is stopped and the entire train is coupled up and ready to start shall constitute picking up and/or setting off at one "point" for the purpose of this rule.

(c) Engineers required to do station switching will be paid local or way freight rates. Switching necessary in picking up cars will not be considered "Station Switching". Switching for the purpose of placing at loading or unloading places cars other than cars loaded with livestock or highly perishable freight, will be considered "Station Switching". If, in order to set out a car or cars clear of main line, it is necessary to move from "spot" a car or cars that are set for loading or unloading, such car or cars will be replaced on "spot" and so doing will not be considered "Station Switching".

(d) In passenger or through freight or irregular freight service where commercial LCL freight and/or company material in excess of 2,000 pounds is loaded or unloaded by the engine or train crew during the entire trip engineers will be paid local freight rates.

(e) Regular assigned locals and through freight trains who are required to perform work train service will be paid actual minutes engaged in work train service at the work train rates in addition to all other earnings for the day.

- (f) There shall be no conversion except as specifically covered by this rule.

ARTICLE 20

Held-Away-From-Home-Terminal

(a) Engineers in pool freight and in unassigned service held at other than home terminal will be paid continuous time for all time so held after the expiration of sixteen (16) hours from the time relieved from previous duty, at the regular rate per hour paid them for the last service performed. If held sixteen (16) hours after the expiration of the first twenty-four (24) hour period, they will be paid continuous time for the time so held during the next succeeding eight (8) hours, or until the end of the second twenty-four (24) hour period, and similarly for each twenty-four (24) hour period thereafter.

(b) Should an engineer be called for service or ordered to deadhead after pay begins, the held-away-from-home-terminal time shall cease at the time pay begins for such service, or when deadheading, at the time the train leaves the terminal, except that in no event shall there be duplication of payment for deadhead time and held-away-from-home-terminal time.

(c) Payments accruing under this rule shall be paid for separate and apart from pay for the subsequent service or deadheading.

(d) For the purpose of applying this rule, the railroad will designate a home terminal for each crew in pool freight and in unassigned service.

ARTICLE 21

Guarantees

(a) Regularly assigned local freight, dodger, combination, wreck, work and construction engineers who are ready for service the entire month and who do not lay off of their own accord will be guaranteed not less than one hundred (100) miles or eight (8) hours for each calendar working day, exclusive of overtime (this to include legal holidays). If through act of Providence it is impossible to perform regular service, guarantee does not apply.

(b) These engineers may be used in any other service to complete guarantee when for any reason regular assignment is discontinued, but such service shall be paid for at schedule rates unless earnings from such rates would be less per day than would have been earned in regular assignment. If a regular assignment, as provided above, is annulled, engineers so assigned will have an option to remain on the job or place themselves.

(c) Regular engineers in guarantee service on assignments discontinued before the end of the month will be compensated at the rate of one hundred (100) miles or not less than a basic day for each calendar working day the assignment was not worked during the month prior to date of final discontinuance.

ARTICLE 22 Dodgers

(a) Dodger crews may be assigned out of any terminal or intermediate point. Crews so assigned may be used to perform a combination of road, yard and industrial service; however, such crews shall not be required to perform switching within switching limits at points where yard crews are assigned except as permitted by the Yardmen's Schedule Agreement.

(b) Dodger crews will be paid the yard rate of pay as provided in the schedule agreement when the preponderance of the time of the assignment is consumed in yard and/or industrial spur switching. (Preponderance equals four (4) hours or more.)

(c) Dodger crews will not be required to handle LCL freight at terminals or intermediate points.

ARTICLE 23 Running Light

Engineers running light with or without caboose will be paid through freight rates.

ARTICLE 24 Time For Meals - Road Crews

(a) Crews on freight trains will be allowed an opportunity to eat after having been on duty six (6) hours, and again after having been on duty twelve (12) hours or when it is known train will be unusually delayed. Stops to be made at established eating places where possible and meal period taken not to exceed 30 minutes. They will notify the dispatcher in advance as to when they expect to stop to eat.

(b) Road switcher and/or other hourly paid road crews will be allowed a reasonable time for eating after having been on duty four hours and thirty minutes (4'30") and before completing six (6) hours on duty, and again after having been on duty twelve (12) hours. Stops to be made at established eating places where possible.

YARD SERVICE

ARTICLE 25

Basic Day

Eight (8) hours or less shall constitute a day's work.

ARTICLE 26

Rates of Pay

<u>Weight On Drivers</u>	<u>Per Day - Five Day Per Week Rate</u>
Less than 500,000 Lbs.	\$48.55
500,000 - 550,000 Lbs.	48.80
550,000 - 600,000 Lbs.	49.02

(For weights over 600,000 Lbs., see National Agreement of May 13, 1971)

ARTICLE 27

Overtime In Yard Service

(a) Except when changing off where it is the practice to work alternately days and nights for certain periods, working through two (2) shifts to change off, or where exercising seniority rights from one assignment to another, all time worked in excess of eight (8) hours continuous service in a twenty-four (24) hour period shall be paid for as overtime on the minute basis, at one and one-half (1 ½) times the hourly rate according to class of engine.

ARTICLE 28

Overtime In Yard - Extra Engineers

The following rule shall apply to extra engineers in yard service:

Except as indicated below or when changing off where it is the practice to work alternately days and nights for certain periods, working through two shifts to change off, or where exercising seniority rights, all time worked in excess of eight (8) hours continuous service in a twenty-four (24) hour period shall be paid for as overtime on a minute basis at one and one-half (1 ½) times the hourly rate.

In application of this rule, the following shall govern:

(a) This rule applies only to service paid on an hourly or daily basis and not to service paid on mileage or road basis.

(b) A tour of duty in road service shall not be used to require payment of such overtime rate in yard service. (The term "road service", as used in this paragraph (b), shall not apply to engineers paid road rates, but governed by yard rules.)

(c) Where an extra man commences work on a second shift in a twenty-four (24) hour period he shall be paid time and one-half for such second shift except where it is started twenty-two and one-half (22½) to twenty-four (24) hours from the starting time of the first shift.

A twenty-four hour period, as referred to in this rule, shall be considered as commencing for the individual employee at the time he started to work on the last shift on which his basic day was paid for at the pro-rata rate.

(d) An extra man changing to a regular assignment or a regularly assigned man reverting to the extra list shall be paid at the pro-rata rate for the first eight (8) hours of work following such change.

(e) Except as modified by other provisions of this rule, an extra employee working one shift in one grade of service and a second shift in another grade of service shall be paid time and one-half for the second shift, the same as though both shifts were in the same grade of service, except where there is another man available to perform the work at pro-rata rate.

Note: (1) Where a seniority board is in effect the rule shall include a provision that in cases where there is a man or men on the board available for work at the pro-rata rate, a senior man who exercises his seniority to work two shifts, the second of which would otherwise under the provisions of this rule, be paid at the overtime rate, shall be paid at the pro-rata rate.

Note: (2) This rule shall not affect any existing rule in the Schedule of this railroad relating to service performed on a succeeding trick where an employee's relief fails to report at the fixed starting time.

ARTICLE 29
Starting Time

(a) Regularly assigned yard engineers shall each have a fixed starting time and the starting time of an engineer will not be changed without at least 24 hours notice.

(b) Where three (3) eight-hour shifts are worked in continuous service, the time for the first shift to begin work will be between 6:30 AM and 8:00 AM, the second 2:30 PM and 4:00 PM and the third 10:30 PM to 12:00 Midnight.

(c) At points where less than three (3) eight-hour shifts are worked in continuous service the starting time may be fixed by the Management to meet the service requirements.

ARTICLE 30
Assignments

(a) Yard engineers shall be assigned for a fixed period of time which shall be for the same hours daily.

(b) Time shall commence at the time required to report for duty and shall continue until the time engine is placed on designated track, or engineer is released.

(c) If a new point for crews to go on and off duty is proposed by the Carrier, it will advise the Committee in advance, and the Committee agrees to meet with the Carrier for the purpose of working the matter out to meet the requirements of the service.

(d) The above provision does not apply in changing the assignment of a crew or individual from one on-duty point to another as established and so used on the effective date of this agreement, or points later established in accordance with paragraph (c), such changes being accomplished in compliance with paragraph (e) hereof.

(e) When a material change is made in the working conditions of an assignment, the assignment will be bulletined. A change in starting time of one (1) hour or more will be considered a material change under this rule.

ARTICLE 31
Full Day's Work

Engineer shall not be laid off after commencement of day's work by reason of disablement of their locomotive, or for any reason other than their own acts. Should a change of yard engineer occur during a shift by reason of sickness or other like emergency, the engineer relieved will be paid the actual time and the engineer relieving will be paid a minimum of one day.

ARTICLE 32
Lunch Periods

(a) Yard engineers will be allowed twenty (20) minutes for lunch between four and one-half (4½) and six (6) hours after starting work without deduction in pay.

(b) Yard engineers will not be required to work longer than six (6) hours without being allowed twenty (20) minutes for lunch, with no deduction in pay for time therefor.

(c) If for bona fide reasons (emergencies, etc.) it is not possible to complete the lunch period within the time limit provided in Section (a) of this Article, yard engineers shall be paid an additional allowance of twenty (20) minutes (payment to be at the pro-rata rate if tour of duty is for eight (8) hours or less and at the overtime rate if tour of duty exceeds eight (8) hours) and will, in addition, be permitted to take the lunch period at the first opportunity, this allowance to be in addition to all other earnings.

(d) Yard engineers will be permitted to eat at established eating places wherever possible.

(e) Yard engineers will be entitled to a second lunch period after having been on duty in excess of ten (10) hours and thirty (30) minutes, with no deduction in pay or time therefor. Yard engineers will be allowed the time required to go to an established eating place for the second lunch period. Yard engineers tied up after the expiration of ten (10) hours and thirty (30) minutes and before completing ten (10) hours and fifty (50) minutes on duty will be paid an additional allowance of twenty (20) minutes at the overtime rate in addition to all other earnings.

(f) The time for fixing the beginning of assignments or meal periods is to be calculated from the time fixed for the crew to begin work as a unit without regard to preparatory or individual duties.

ARTICLE 33
Working Outside Of Yard Limits

(a) Where regularly assigned to perform service within switch limits, yard engineers shall not be used in road service when road crews are available, except in case of emergency. When yard engineers are used in road service under conditions just referred to, they shall be paid miles or hours whichever is the greater, with a minimum of one hour, for the class of service performed, in addition to the regular yard day and without any deduction therefrom for the time consumed in said service.

(b) The above shall not apply to yard engineers at any point where there may be more than one and one-half (1 ½) hours idle switching time, in which event yard engineers may be used outside yard limits for work and construction purposes without penalty. When used as per paragraph (b) Article 19 (a) will apply.

GENERAL RULES

ARTICLE 34
Vacancies

(a) The following conditions will constitute vacancies and will be advertised for a period of five (5) days:

1. All new runs or vacancies on regular assignments in road and yard service.
2. Temporary vacancies in accordance with Article 35.
3. When established lay-over of a regular assignment is changed.[X]
4. When the mileage of a regular assignment is changed as much as 300 miles per month.[X]
5. When the scheduled leaving time on a regular assigned run is changed as much as three (3) hours.[X]

[X] Note: Regular runs that are discontinued for a period as long as three (3) days on the road or two (2) days in yard service will be considered as having been permanently discontinued. This rule shall not apply to regular runs that are annulled on account of casualty or washout.

(b) Senior engineer bidding on same will be assigned. When so assigned they shall forfeit all rights to their former assignments unless displaced or their former assignment again becomes vacant. Engineers when so assigned or when filling temporary vacancies by written notice or bulletin as provided herein will not be displaced by senior engineers unless such senior engineer has been displaced from an assignment he had preferred or was absent during bulletin period. Engineers assigned away from district terminals will be kept informed by the Mechanical Department of all assignments bulletined. An engineer failing to bid on a bulletined run within the time set by the bulletin will forfeit his rights to such run unless he is absent during the bulletin period. It is understood that no assignment will be made to the run during the bulletin period.

(c) In regular assigned passenger service, temporary vacancies for engineers will be filled by the senior qualified engineer in the terminal available for passenger service. Said engineer may be displaced at any time after he has made three (3) round trips or six (6) calendar days on a turnaround run, by a senior qualified engineer making written application for the run. Said senior qualified engineer will not be displaced by engineers senior in service unless such senior engineers have been displaced from a run or assignment they had preferred, or who were absent during vacancy.

(d) All unassigned passenger service will be handled by regular chain gang engineer first out.

(e) In filling vacancies, both temporary or permanent in switching service at Shreveport, fifty (50) percent will be taken from the Fifth District and fifty (50) percent from the Sixth and Seventh Districts. Seniority will prevail in selecting position, each district extra board will protect their percent of the assignments.

(f) The Management may select any engineer from regular road service or from the regular extra board to handle specials. Engineers will not be confined to their respective seniority districts and it is understood that if engineers used for such service are taken from regular runs their pay for such service will not be reduced.

(g) When engineers lay off or absent themselves from duty without proper excuse, twenty-four (24) hours will be considered a reasonable minimum time for such layoff and they will not be marked up until after the expiration of twenty-four (24) hours from the time they layoff.

ARTICLE 35 Temporary Vacancies

When a run, block or regular assignment has been vacant for a period of fifteen (15) days for reasons other than paid vacation, it will be handled in the same

manner as if it were permanently vacated. When the regular engineer returns to service, he will be permitted to exercise his seniority rights. It being understood that no assignments are to be made to the vacancy during the bulletin period.

ARTICLE 36 Annulment Of Regular Assignments

Regular runs that are discontinued for a period as long as three (3) days on the road and two (2) days in yard service will be considered as having been permanently discontinued. This rule shall not apply to regular runs that are annulled on account of casualty or washout. See also Addendum Nos. 7(a), 7(b), 7(c).

ARTICLE 37 Deadheading

(a) When engineers are deadheaded, the engineer first out will deadhead and the engineer second out will run the train. On arrival at the terminal the engineer deadheading will stand ahead of the engineer with which deadheaded, except an engineer will not be runaround because of the second-out engineer not being rested and the engineer first-out running the train.

(b) Deadheading will not be paid to an engineer laying off voluntarily (or to an engineer relieving him). Deadheading also will not be paid in connection with the exercise of seniority rights, except actual miles or hours deadheaded, whichever is the greater, will be allowed when:

- (1) An engineer is called for or assigned to a new assignment that involves deadheading.
- (2) Deadheading to home terminal after being relieved by regular engineer or in the event assignment is abolished.

(c) Deadheading other than that referred to in paragraphs (b) and (f) of this Article will be paid for at the rate stipulated for the service which caused the deadheading, actual miles or hours, or a minimum day, whichever is greater. (Where deadhead payment is contemplated under paragraphs (b) and (f) of this Article, it will be paid at the rate stipulated for the service which caused the deadheading.) Examples of deadheading paid for under this paragraph (c) are instances of deadheading caused by injury or bona fide cases of sickness, death in immediate family and engineers' vacations.

Note: Deadhead allowance payable only to first man relieving and last man returning in case of split vacations.

(d) An engineer deadheaded by means other than over the carrier's main line will be paid for miles actually deadheaded, if it is greater than the main line mileage.

(e) Engineers can be deadheaded on continuous time only when tied up under the Hours of Service Law or when they are sent to a point short of a terminal to get a train that has been tied up, providing they promptly depart such point upon arrival. When deadheading is thus connected with service, the actual mileage or time deadheaded will be added to the time or mileage of the service performed and paid for as a continuous trip.

(f) Engineers forced on an outlying job will be paid actual miles or hours, whichever is the greater, for deadheading thereto. Engineers on outlying jobs will be paid actual miles or hours, whichever is the greater, for deadheading to home terminal or to another position if displaced or if the job is abolished.

(g) Transportation for deadheading engineers ordered by the carrier shall be supplied and/or paid for by the carrier.

(h) Automobiles, station wagons, carryalls, etc., used to transport deadheading engineers will be properly equipped and will be maintained in a fully safe condition.

Engineers will not be required to deadhead in vehicles driven by carrier's officers, supervisors or employees in an unsafe, careless or reckless manner.

(i) The use of an engineer's private auto for deadheading is optional with the employee. If authorized to use his own automobile for deadheading, he shall be allowed nine (9) cents per mile for the highway mileage traveled to and from the point to which deadheaded.

(j) When engineers are deadheaded to an intermediate or outlying point to protect assigned service, they shall be under pay after sixteen (16) hours from time of arrival unless placed on duty prior to expiration of sixteen (16) hours.

(k) An extra engineer deadheaded to an intermediate or outlying point in such a manner that he is required to arrive four (4) hours or more before the assignment for which deadheaded goes to work, shall be entitled to a meal allowance; if arrival is eight (8) hours or more before going on duty, he shall receive both the meal and lodging allowance.