

## GENERAL RULES

### RULE 52: CALLING CREWS

a) **Calling Crews:**

The governing factor in making calls will be the time Engineer is required to report for duty.

b) **Calling Limit:**

Calling limits will be three miles.

c) **Acknowledgment of Call:**

Engineers will acknowledge their call (showing time and train for which called) by signing their names and time called on Carrier's log. If called by telephone, Carrier will make record of the call.

d) **Notified Of Probable Destination:**

Engineers will be notified at the time they are called of the probable destination of the train; it being understood the person calling may give incorrect information. There will be no penalty or extra expense to the Carrier for failure to comply with this rule.

e) **Called And Not Used:**

When called and not used, Engineers will be allowed ½ basic day and stand first-out; if held on duty to exceed 4 hours, a basic day will be allowed and Engineers will stand last-out.

### .... Reference 1971 Interdivisional Service Agreement, Part VII, Section 6

An Engineer called for Interdivisional Service and not used will be allowed ½ basic day and stand first out; if held on duty to exceed four (4) hours will be allowed a basic day and stand first out. An Engineer shall be restored to his same relative position on the pool board at first opportunity.

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When senior available freight Engineer is called for extra passenger service out of home terminal and not used, and his regular turn departs before he is released, he will be allowed a basic day. If both called and released before leaving home or place where called, no compensation is due.

f) **Time and Mileage Begins and Ends:**

In all classes of road service an Engineer's time will commence at the time he is required to report for duty and will conclude at the time the engine is placed on the designated track or relieved by hostler at terminal.

### **RULE 53: FIRST-IN, FIRST-OUT**

- a) Engineers on assigned runs will stay with their runs regardless of engine furnished. Engineers in chain gang service will run first-in, first-out and, to preserve this order, it will be permissible to run an Engineer out on other than the train for which called, if practicable.
- b) Board position for regularly assigned pool freight Engineers will be governed by their final release time at district terminals.
  - 1) Board position for Extra Engineers in road service will be governed by their final release time at district terminals.
  - 2) Board position for Extra Engineers in yard service will be governed by the expiration of the normal tour of duty for that particular shift. If the Extra Engineer works overtime and final release is one hour or more later than that of the following extra Yard Engineer, the time of final release will govern position on the extra board.
- c) Except as provided in Rule 22, pool freight Engineers will be limited to one turn-around trip at the far terminal if other crews are available.
- d) When calling road Engineers to deadhead, call the first out Engineer to deadhead, and the next Engineer to man the train. At the final terminal, they will be called in the same order.
- e) Engineers picked up en route and deadheaded or towed into the terminal will tie up ahead of the train Engineer. If more than one Engineer is picked up en route, the Engineer having been under pay the longest will tie up first. Final release time will govern in all cases.
- f) Original section (e) and (f) of this rule pertaining to steam engines have been retained but is not reproduced herein.

### **RULE 54: RUN-AROUND**

#### **Section a) modified by Agreement #1803139681 dated October 10, 1996**

- a) Engineers not called in their turn will be allowed one-half basic day and stand first out if not called within eight hours, one basic day will be allowed and Engineer will stand first out. Engineers are not run around when they take the train for which called, or as provided in the last sentence of Rule 53, Section (a).
- b) Pool freight crews who are runaround by other pool freight crews at the home terminal or en route between the home terminal and far terminal will, upon arrival at far terminal, be given the same relative position on the list as held prior to leaving the home terminal.
- c) Pool freight crews who are runaround by other pool freight crews at the far terminal or en route between the far terminal and the home terminal will, on arrival at the home terminal be given the same relative position on the list as that held prior to leaving the home terminal on the last trip.

- d) When an Engineer in pool freight service is first out but not rested at the home terminal, his turn will remain first out until the held Engineer becomes legally rested. (See rule 67 regarding extra rest)
- 1) If other turns are run while the held Engineer is on rest, the turn of the held Engineer, upon return to the home terminal, will be restored to the same relative position on the board the turn held prior to being held for rest.

The Company will not be penalized in any way in the application of Sections (b), (c), and (d).

**... Reference Letter of Understanding dated July 10, 2009 - See Appendix K**

1. An employee assigned to a turn in an unassigned freight pool or to a position on an extra board who finds themselves in mandatory off duty time pursuant to §21103(a)(1) (i.e., the "278-hour monthly cap rule") or §21103(a)(4) (i.e., the "6/48 & 7/72 rule") will retain and remain on his or her turn in the applicable freight pool or his or her position on the applicable extra board during the period he or she is in mandatory off duty time.
- a. During the period said employee is in mandatory off duty time, his or her freight pool turn or extra board position (and accordingly the employee assigned) shall continue to rotate or advance (i.e., move up) in the freight pool or on the extra board.

If the employee's freight pool turn or extra board position reaches the first-out position before he or she is no longer subject to the mandatory off duty time pursuant to Item 1 above, the employee and his or her assigned pool turn or extra board position will be held in the first-out position until the expiration of the employee's period of mandatory off duty time.

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**... Reference Auto-Markup Interpretation – See Appendix K**

- D.
1. Engineers assigned in pool (unassigned) freight service or to a road or combination extra board whose approved/authorized absences are 72 hours or greater and expire between 10:31 p.m. and 7:59 a.m. will be automatically marked up upon expiration of their approved/authorized absences but will not be eligible or called for an assignment that starts prior to 7:59 a.m. Engineers covered by this Paragraph D will be available for service for an assignment starting subsequent to 7:59 a.m. – i.e., marked-up Engineers can be called prior to 8:00 a.m. for an assignment that starts subsequent to 7:59 a.m.

- 2 The freight pool turn or extra board position occupied by an Engineer covered by this Paragraph D will continue to rotate within the pool or extra board during the period he/she is unavailable for service pursuant to Paragraph D except that if his/her pool turn or extra board position reaches the first-out position before he or she is available for service the Engineer's pool turn or extra board position will be held in the first-out position until he/she is available for service or call.

#### **RULE 55: COMBINATION TERMINAL TIME AND ROAD SERVICE**

On trips of less than 100 miles, allowed initial and final terminal time will be added to the miles or time and not less than 100 miles allowed for the combined service.

**EXCEPTION:** The foregoing provisions are not applicable to service operated from terminal to terminal on the following districts

Cheyenne-Laramie

Junction City-Salina

On the above districts initial terminal delay in through freight service will be paid after 1 hour and 15 minutes.

#### **RULE 56: MORE THAN ONE CLASS OF ROAD SERVICE**

Road Engineers employed in any class of road service may be required to perform two or more classes of road service in a day or trip subject to the following terms and conditions

a) **Payment:**

- 1) Except as qualified by (a) 2 below, payment for the entire service shall be made at the highest rate applicable to any class of service performed, the overtime basis for the rate paid to apply for the entire trip. Not less than a minimum day will be paid for the combined service.

When two or more locomotives of different weight on drivers are used during a trip or day's work, the highest rate applicable to the locomotive consist used at any one time shall be paid for the entire day or trip.

**NOTE:** See System Weight on Drivers Agreement in **Appendix K**

- 2) Road Engineers in through freight and passenger service only shall receive full payment for the regular day or trip based on miles or hours applicable to the regular day or trip plus extra compensation on a minute basis for all additional time required in the other class of road service. The rate paid both for the regular trip and for the additional time shall be the highest rate applicable to any class of service performed during the entire day or trip. 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 locomotive shall be paid for the entire day or trip.

Overtime rate shall apply to the extra compensation only to the extent that the additional service results in overtime for the entire day or trip or adds to overtime otherwise payable for hours required for the regular trip.

**Examples For The Application Of This Paragraph (a) 2 Are:**

- 1) An Engineer in through freight service on a run of 100 miles is on duty a spread of 8 hours, including 2 hours of another class of road service -- Engineer will be paid 100 miles or 8 hours at pro rata rate for the trip plus 2 hours at pro rata rate for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.
- 2) An Engineer in through freight service on a run of 100 miles is on duty a spread of 9 hours, including 2 hours of another class of road service -- Engineer will be paid 100 miles or 8 hours at pro rata rate for the trip plus 1 hour at pro rata rate and 1 hour at time and one-half for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.
- 3) An Engineer in through freight service on a run of 100 miles is on duty a spread of 10 hours, including 2 hours of another class of road service -- Engineer will be paid 100 miles or 8 hours at pro rata rate for the trip plus 2 hours at time and one-half for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.
- 4) An Engineer in through freight service on a run of 100 miles is on duty a spread of 12 hours, including 2 hours of another class of road service -- Engineer will be paid 100 miles or 8 hours at pro rata rate plus 2 hours at time and one-half for the trip plus 2 hours at time and one-half for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.
- 5) An Engineer in through freight service on a run of 150 miles is on duty a spread of 10 hours, including 2 hours of another class of road service -- Engineer will be paid 150 miles or 12 hours at pro rata rate for the trip, plus 2 hours at pro rata rate for the other class of road service, both payments to be at the highest rate applicable to any class of service performed.

b) This rule applies to:

- 1) Unassigned and/or assigned road service.
- 2) Another class of road service regardless of when notified, whether at time called, at the outset of, or during the tour of duty.

- 3) Passenger service, except that helper or pusher service not a part of the regular passenger assignment, or wreck or work train service, should not be required except in emergencies.
- c) This rule does not involve the combining of road with yard service nor modify or set aside:
- 1) Lap-back or side trip rules (as modified by 2003 National Agreement Section 5(a) (1)) except when a combination of service includes work, wreck, helper, or pusher service.
  - 2) Conversion rules.
  - 3) Terminal switching and/or special terminal allowance rules.

### **RULE 57: CONSTRUCTIVE AND ARBITRARY MILEAGE ALLOWANCES**

- a) Retained but not reproduced herein.
- b) Retained but not reproduced herein.
- c) Retained but not reproduced herein.
- d) Retained but not reproduced herein.
- e) Retained but not reproduced herein.
- f) Retained but not reproduce herein.
- g) Retained but not reproduced herein
- h) Retained but not reproduced herein
- i) Engineers in through freight service required to re-rail cars or engines or revive engines which have no connection with the train they are handling will be compensated on the actual minute basis at pro rata rate with a minimum allowance of one hour. This time will be continuous from the time work is begun until it is completed. When overtime accrues, computed from time of reporting for duty, the allowance described above, or overtime, whichever the greater, will be paid.
- j) Retained but not reproduced. herein

### **RULE 58: SETTING OUT AND/OR PICKING UP DIESEL UNITS**

Rule superseded by  
**1986 Arbitrated National Agreement Article IV Section 4:**

**“Section 4 - Engine Exchange  
(Including Adding and Subtracting of Units) and Other Related Arbitraries**

- (a) Effective July 1, 1986 all arbitrary allowances provided to employees for exchanging engines, including adding and subtracting units, preparing one or more units for tow, handling locomotive units not connected in multiple, and coupling and/or uncoupling appurtenances such as signal hose and control cables are reduced by an amount equal to two-thirds of the allowance in effect as of June 30, 1986.
- (b) Effective July 1, 1986, all arbitrary allowances provided to employees for performing work described in paragraph (a) above are eliminated.

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**RULE 59: SERVICING ENGINES**

Rule superseded by  
**1986 Arbitrated National Award Article VIII Section 3:**

**“Section 3 - Incidental Work**

“Road and yard employees in engine service and qualified ground service employees may perform the following items of work in connection with their own assignments without additional compensation:

- a) Handle switches
- b) Move, turn, spot and fuel locomotives Supply locomotives except for heavy equipment and supplies generally placed on locomotives by employees of other crafts

**.... Reference Side Letter #8 of 1986 Arbitrated National Award dated 05/19/1986**

It was understood that the reference to moving, turning, spotting and fueling locomotives contained in Section 3(b) includes the assembling of locomotive power, such as rearranging, increasing or decreasing the locomotive consist. It is not contemplated that an Engineer will be required to place fuel oil or other supplies on a locomotive if another qualified employee is available for that purpose.

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- c) Inspect locomotives
  - d) Start or shutdown locomotives
  - e) Make head-end air tests
  - f) Prepare reports while under pay

- g) Use communication devices; copy and handle train orders, clearances and/or other messages
- h) Any duties formerly performed by firemen.  
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**.... Reference Side Letter 7 of 1986 Arbitrated National Award dated 05/19/1986**

This confirms the understanding that the provisions in Section 3 thereof, concerning incidental work, are intended to remove any existing restrictions upon the use of employees represented by the BLE to perform the described categories of work and to remove any existing requirements that such employees, if used to perform the work, be paid an arbitrary or penalty amount over and above the normal compensation for their assignment. Such provisions are not intended to infringe upon the work rights of another craft as established on any railroad.

It is further understood that paragraphs (a) and (c) of Section 3 do not contemplate that the Engineer will perform such incidental work when other members of the crew are present and available  
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**RULE 60: DOUBLING, LAP BACK AND SIDE TRIPS**

When Engineers are required to make lap back trips, side trips on diverging lines between their terminals, required to double hills, or run for fuel and/or water, miles run will be added to the mileage of the regular trip and paid for on continuous time basis.

**NOTE 1:** Crews on regularly assigned local or mixed runs of less than 100 miles will be compensated for side or lap back trips, in accordance with provisions of Rule 23(i).

**NOTE 2:** Emergency side and lap back miles for through freight service have been incorporated into the prevailing trip rates per Article V – Pay System Simplification, Part B, Section 5(a)(1) of 2003 National Agreement.

**RULE 61: RUNNING LIGHT - PILOTS - MESSENGERS**

- a) When run light over district, engines will be accompanied by pilot.
- b) Engineers will be compensated at through freight rate of pay for handling engines running light.
- c) Engineers used to "messenger" dead engines, will be paid the same rate and come under the same rule that would govern the running of engine in charge.

**RULE 62: WATCHING ENGINES**

Retained but not reproduced herein

## **RULE 63: DEADHEADING**

Rule superseded by  
**Article VI of the 1986 Arbitrated National Award**

### **“ARTICLE VI – DEADHEADING**

Existing rules covering deadheading are revised as follows:

#### **Section 1 - Payment When Deadheading and Service Are Combined**

Deadheading and service may be combined in any manner that traffic conditions require, and when so combined employees shall be paid actual miles or hours on a continuous time basis, with not less than a minimum day, for the combined service and deadheading. However, when deadheading from the away-from-home terminal to the home terminal is combined with a service trip from such home terminal to such away-from-home terminal and the distance between the two terminals exceeds the applicable mileage for a basic day, the rate paid for the basic day mileage portions of the service trip and deadhead shall be at the full basic daily rate.

#### **Section 2 - Payment For Deadheading Separate From Service**

When deadheading is paid for separate and apart from service:

##### **For Present Employees\***

A minimum day, at the basic rate applicable to the class of service in connection with which deadheading is performed, shall be allowed for the deadheading, unless actual time consumed is greater, in which event the latter amount shall be allowed.

##### **For New Employees\*\***

Compensation on a minute basis, at the basic rate applicable to the class of service in connection with which deadheading is performed, shall be allowed. However, if service after deadheading to other than the employee's home terminal does not begin within 16 hours after completion of deadhead, a minimum of a basic day at such rate will be paid. If deadheading from service at other than the employee's home terminal does not commence within 16 hours of completion of service, a minimum of a basic day at each rate will be paid.

A minimum of a basic day also will be allowed where two separate deadhead trips, the second of which is out of other than the home terminal, are made with no intervening service performed. Non-service payments such as held-away-from-home-terminal allowance will count toward the minimum of a basic day provided in this Section 2(b).

\* Employees whose Seniority in engine or train service precedes November 1, 1985.

\*\* Employees whose earliest seniority date in engine or train service is established on or after November 1, 1985.

### **Section 3 - Applications**

Deadheading will not be paid where not paid under existing rules.

This Article shall become effective July 1, 1986 except on such carriers as may elect to preserve existing rules or practices and so notify the authorized employee representatives on or before such date.

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### **RULE 64: HOME TERMINALS DESIGNATED**

Council Bluffs, IA	First	Seniority District
North Platte, NE	Second	Seniority District
North Platte, NE	Third	Seniority District
Cheyenne, WY	Fourth	Seniority District
Cheyenne, WY	Fifth	Seniority District
Rawlins, WY	Sixth	Seniority District
Salina, KS	Ninth	Seniority District
Sharon Springs, KS	Tenth-Eleventh	Seniority District
Green River, WY	Twelfth	Seniority District
Denver, CO	Fourteenth	Seniority District
Marysville, KS	Fifteenth	Seniority District
Marysville, KS	Eighteenth	Seniority District

**NOTE:** Some of the home terminal designations have been modified or are no longer applicable See **Appendix H [SENIORITY]** and **Appendix I (HUB AGREEMENTS)**

### **RULE 65: HELD-AWAY-FROM-HOME-TERMINAL**

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

#### **Modified by**

**Appendix B Basic Interdivisional Supplemental Agreement Section 2 dated 12/23/1971:**

"Engineers in interdivisional service held at other than home terminal will be paid continuous time for all time so held after the expiration of sixteen hours from the time relieved from previous duty, at the regular rate per hour paid them for the last service performed."

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**NOTE:** For Engineers governed by the Denver, CNW Merger, Salina and Expanded Salina Merger Implementing Agreements, the following will apply:

**Held Away from Home Time** - Engineers in pool freight service held at other than home terminal will be paid continuous time for all time so held after the expiration of sixteen hours from the time relieved from previous tour of duty, at the regular rate per hour paid them for the last service performed.

- 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 separately and apart from pay for the subsequent service or deadheading. Payments under this rule shall be at the rate applicable to the trip out of the far terminal, except when deadheading, in which event the rate applicable to the last road service performed will apply.
- d) If an Engineer, prior to or during the period held-away-from-home-terminal time accrues, is called and released, such Engineer will receive compensation for the held time or the call and release, whichever the greater.

**RULE 66: PERMITTED TO GO HOME ON LAYOVER DAY**

Engineers on assigned runs, with layover day at other than home terminal, will, upon request, be permitted to go home when practicable.

**RULE 67: REST**

**Eliminated by**

**Letter dated 06/28/1996:**

With the adoption of the new "System Agreement - Extra (Undisturbed) Rest" Rule (Attachment (f) of the System Local Agreement) which was effective June 1, 1996, the following rules in the basic schedule of agreements are no longer applicable:

Rule 67 for the Territory Eastern District  
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**Rule superseded by**

**SYSTEM AGREEMENT - EXTRA (UNDISTURBED) REST attachment (f) dated 02/28/1996**

- 1) Engineers may take extra (undisturbed) rest under the following circumstances:
  - (a) When an Engineer's tour of duty (non-deadhead) has been for eight (8) or more hours; or

- (b) When an Engineer's tours of duty (including deadheads) in the previous five (5) consecutive calendar days have resulted in no rest (off-duty) period of twelve (12) or more continuous hours.
- 2) Engineers taking extra (undisturbed) rest pursuant to (a) and (b) above may do so under the following conditions:
- (a) If on duty for more than eight (8) hours, but less than twelve (12) hours, an Engineer may take eight (8) or ten (10) hours undisturbed rest.
  - (b) If on duty twelve (12) hours, an Engineer may take ten (10) or twelve (12) hours undisturbed rest.
  - (c) If there was not a twelve (12) or more hour rest period in the previous five (5) consecutive calendar days, an Engineer may take eight (8), ten (10) or twelve (12) hours undisturbed rest.
  - (d) An Engineer taking extra (undisturbed) rest must so advise CMS at time of tie-up.
  - (e) Engineers may not take extra (undisturbed) rest on the day before or the day of a holiday recognized under applicable Agreement provisions.

Engineers taking extra (undisturbed) rest shall not be contacted during such period.

- 3) Engineers will not be considered as unavailable for guarantee purposes for the first extra rest taken in each pay period. Engineers taking extra (undisturbed) rest will be considered unavailable for the second and successive extra (undisturbed) rest occurrences in each pay period if they would have been called had they not taken the extra (undisturbed) rest. In each such instance(s) the guarantee reduction for an extra board Engineer will be one (1) guarantee day, and for a guaranteed pool Engineer, one (1) round trip.

**NOTE:** The purpose of this Rule is to provide Engineers with the opportunity to obtain, when needed, rest so as to ensure they can safely perform their duties. This rule is not intended to be a mechanism to allow Engineers to only work certain shifts, avoid calls, or lay off. It is likewise not intended undisturbed rest be taken after every trip. The parties recognize the merit of this rule and will jointly work to eliminate any abuse of this rule.

Q-1. Will a regular assigned Engineer on a yard relief assignment be allowed to take extra (undisturbed) rest when such extra rest would result in the Engineer not working his/her next assignment?

A-1. No. It is not the intent of this rule to use extra (undisturbed) rest to avoid a regular assignment.

Q-2. May an Engineer take extra (undisturbed) rest under 1(b) if his/her last trip in the five (5) day period was a deadhead?

A-2. Yes. The intent of the rule is to provide an opportunity for extra rest when both work and deadhead have resulted in no rest period(s) of twelve (12) or more hours in the previous five (5) calendar days.

**Question 3 Modified by**

MOA #1210159745 **dated November 25, 1997**

Q-3 Is an Engineer removed from the extra board or pool when he/she takes extra rest at the home terminal?

A-3 No. The Engineers' pool/extra board position will continue to rotate and if the Engineer is not rested when the turn/extra board position becomes first-out, it will remain first-out until the Engineer is rested and available for service.

Q-4. What happens if an Engineer takes undisturbed rest at the away-from-home terminal?

A-4. If the Engineer is first-out and not rested for a call, the Engineer will remain first-out until rested.

Q-5. Must the Carrier hold a train for an employee requesting extra rest?

A-5. No.

Q-6. Under Section 2, must Engineers meet the requirements of both 1(a) and 1(b) to be eligible to take extra rest?

A-6. No, Engineers may request extra rest if they meet the requirements of either 1(a) or 1(b).

**NOTE 1:** 2003 Automatic Mark-up Agreement requires 10 hours undisturbed rest at home terminal **See Appendix K.**

**NOTE 2:** Rail Safety Improvement Act of 2008 requires a minimum of 10 hours of undisturbed rest at both the home and away-from-home terminals.

**NOTE 3** Reference Letter of Understanding dated July 10, 2009 - **See Appendix K**