

ATTENTION ENGINEERS

PENALTY CLAIM FOR NOT BEING CALLED WITHIN THE ALLOTTED TIME BRACKETS (YARD ASSIGNMENTS)

CLAIM 100 MILES (ONE BASIC DAY) AT THE YARD RATE OF PAY, IN ADDITION TO ANY AND ALL OTHER EARNINGS, ACCOUNT OF THE CARRIER'S DIRECT AND WILFULL VIOLATION OF ARTICLE 29 OF THE COLLECTIVE BARGAINING AGREEMENTS IN EFFECT PURSUANT THE RAILWAY LABOR ACT, BETWEEN THE KCS RR AND THE BLE&T.

ARTICLE 29 (B), OF THE 1973 CBA STATES;

(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 and 12:00 Midnight.”

THIS CLAIM IS FURTHER SUPPORTED BY ADDENDUM #3(A), ITEM 16(D), WHICH STATES;

“In order to differentiate between First, Second, and Third assignments it is agreed that all engines working hours beginning between 6:30 AM and 2:29 PM shall be known as First Trick Engines. Engines working between hours beginning between 2:30 PM and 10:29 PM shall be known as Second Trick Engines; and engines working hours beginning between 10:30 PM and 6:29 AM shall be known as Third Trick Engines. It is understood and agreed that this paragraph governs only in determining First, Second, and Third Trick Engines under this Agreement and does not in any way refer to starting times which is covered by the respective agreements governing starting time for yard service employees.”

GIVE THE TIME AND ASSIGNMENT WHICH YOU WERE CALLED FOR.

NOTE: PLEASE NOTE THE TIME-BRACKETS IN THE ABOVE SCOPE RULE, ARTICLE 29 OF THE CBA.

KEEP COPIES FOR YOURSELF AND A COPY FOR THIS OFFICE.