

ATTENTION ENGINEERS

PENALTY CLAIM FOR NOT BEING ALLOWED TO MARK OFF

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 54 OF THE COLLECTIVE BARGAINING AGREEMENTS IN EFFECT PURSUANT THE RAILWAY LABOR ACT, BETWEEN THE KCS RR AND THE BLE&T.

“NOT ALLOWED TO LAYOFF AT THE HOME TERMINAL”

ARTICLE 54, OF THE 1973 CBA STATES;

"ENGINEERS WILL BE ALLOWED TO LAYOFF AND GO TO WORK AT HOME TERMINAL."

THIS CLAIM IS FURTHER SUPPORTED BY ADDENDUM #32, SECTION VII, WHICH STATES;

“IT WILL BE THE RESPONSIBILITY CARRIER TO PROJECT THE NEED FOR ADDITIONAL ENGINEERS AND PROVIDE TRAINING FOR SERVICE WHEN NEEDED AS NECESSARY TO COMPLY WITH EXISTING AGREEMENTS, VACATIONS, HOLIDAYS, ect. DISCIPLINARY ACTIONS, BREAVEMENT, HOLIDAYS, SICKNESS, AND LAYOFFS”

CONSOLIDATED AGREEMENT SECTION VI, PART (D), PARAGRAPH (I), 1994, STATES;

“THE EXTRA-BOARD WILL BE REGULATED BY THE CARRIER AND WILL NOT BE REDUCED WHEN THE AVERAGE WORKING MILES IS 600 OR MORE IN SEVEN DAYS”

GIVE THE REASON FOR YOUR DENIED LAY-OFF REQUEST; AND THEN LIST THE AVAILIBLE EXTRA-BOARD MEN.

NOTE: THE FIRST-OUT EXTRA-BOARD MAN NEEDS TO FILL-OUT A PENALTY CLAIM FOR THEIR BEING DENIED THE RIGHTS TO THE WORK

IF ATTEMPTING TO LAY-OFF DUE TO A FATIGUE FACTOR, FILL-OUT AN UNSAFE CONDITION REPORT ALSO, KEEPING COPIES FOR YOURSELF AND A COPY FOR THIS OFFICE.