

MEMORANDUM OF AGREEMENT

between

UNION PACIFIC RAILROAD COMPANY - EASTERN DISTRICT

and

UNITED TRANSPORTATION UNION (C&T)

MODIFICATION OF SENIORITY ZONE 100 AGREEMENT,  
ADDING SECTION (e) 3, 4, 5, 6, and 7

IT IS AGREED that the following Section (e) 3, 4, 5, 6 and 7 will be added to Seniority Zone 100 Agreement:

(e)(3) Employes achieving seniority on Seniority Zone 100 after March 16, 1984 have rights only on Seniority Zone 100, and shall have no prior rights on any specific former seniority district.

(a) Employes achieving seniority on Zone 100 after March 16, 1984 shall designate one of the seven road seniority districts as a "home point".

(b) When an employe is cut off or furloughed and his services are not needed at any other location where he holds seniority (road or yard) , he will be given the right to return to or remain at his home point, subject to the following conditions :

(1) Within five days from the date the employe is notified that he is cut off from the extra boards, he must make a written or telephone request upon CMS for permission to remain at his home point rather than exercise his seniority to another location within Zone 100. If the cut-off employe's services are not needed at any other location, his request to stay at the home point will be granted and he will be so notified.(2) The cut-off employe granted permission to remain at his home point under the provisions of paragraph (1) above will be required to report for work at his home point within 48 hours from the time notified to report, or within 5 days from date notified to report if called to report at a location other than his home point.

(3) When employes are needed at a location where there are not sufficient home point men at such location to protect the needs of the service, the junior employe, or employes, remaining at other home points will be

notified and will be required to report to the location to which called within 5 days from date of notification.

(4) An employe called to a location other than his home point will, upon written request to CMS, be permitted to return to his home point when there is an ample supply of employes to handle the work at the location to which he has been called.

(5) An employe permitted to remain at his home point under paragraph (3)(b)(1) above may return to service prior to recall by filing written notice with CMS. The cut-off employe will, if he has sufficient seniority, be permitted to return to service when the extra board at the location where he desires to work is increased.

(6) A cut-off employe remaining at the home point under paragraph (3)(b)(1) above will be required to keep CMS informed of his current address.

(7) An employe who is recalled to service in accordance with this Agreement and who fails to report for service within the time provided herein will forfeit all employment and seniority rights.

(e)(4) For the purpose of this Agreement, Schedule Rule 93(d) is modified to read:

"(d) When no written applications are received for bulletined assignments:

(1) The junior brakeman assigned to the extra board at the home point of the assignment will be assigned.

(2) The junior conductor working in the prior seniority district of the assignment and not holding a regular assignment as conductor will be assigned.

(3) Any Zone 100 employe may use that seniority to bid on a bulletined regular assignment anywhere within the Zone at any time."

(e)(5) On and after the effective date of this Agreement, an employe at any point in the territory of Seniority Zone 100 may transfer to any other point in the territory of Seniority Zone 100 in accordance with applicable Schedule rules.

(a) Any employe moving under the provisions of this Section (e) (5) will not be permitted to move again under those provisions for a period of 120 days, unless he is the senior applicant for a regular assignment on another prior seniority district or the provisions of Section (e)(6) are applicable.

(b) The Carrier cannot require a prior rights employe to transfer to any point outside the employe's prior rights seniority district.

(e)(6) When an employe is forced or exercises his road rights to transfer to another prior road seniority district under Seniority Zone 100 due to being furloughed as a road employe at his home point, he may return to his home point, seniority permitting, on increase of the road extra board. If the employe fails to return to the home point at the first opportunity, he will be required to remain at the point to which transferred for a period of 120 days unless he is the senior applicant for a bulletined assignment on another prior seniority district.

(e) (7) Employes working in road service on one prior seniority district in Seniority Zone 100 may exercise seniority to road service on another prior seniority district in Seniority Zone 100 on the conditions that:

(1) They make written application to CMS (with copies to affected local chairpersons) ;

(2) The brakeman's extra board is being increased at the point to which they are transferring; and

(3) Their seniority will permit them to work on the seniority district to which they are transferring.

Such transfer shall be made effective as soon as possible, but in no event later than seventeen (17) days from the date of application and/or from when the brakeman's extra board is increased. Roadmen not so handled will be granted a special allowance equal to the earnings which they would have received had they been transferred for each calendar day held after the expiration of the 17-day period (including layover days), providing the employe is available for service on such calendar days, which shall be in addition to all compensation for actual service performed.

This Agreement is effective August 1, 1989, and shall continue in effect thereafter subject to the provisions of the Railway Labor Act, as amended.

Dated, at Omaha, Nebraska, this 27th day of September, 1989.