

LOCAL FREIGHT SERVICE

RULE 23.

a) Trains loading or unloading way freight handling supply trains, working battery cars, spotting stock cars to load or unload, spotting and unloading water cars, or doing station switching will be classed as local freight trains.

NOTE: This does not apply to through or irregular freight trains setting out or picking up cars at stations, or picking up or dropping tonnage enroute, or loading or unloading small lots of perishable freight, except that pool freight crews required to place cars on two or more tracks when one track will hold the set-out will be allowed local freight rates of pay. Replacing cars displaced in picking up or setting out cars will not be classed as switching.

Crews on through freight trains will be allowed local rates of pay when required to pick up car or cars at one intermediate point and set out the cars at another intermediate point for the convenience of another train subsequently picking up the cars.

Engineers in through freight service required to pick up and/or set out a car or cars at three (3) or more intermediate points between terminals in road territory will be paid local freight rates for the entire trip.

Local rate will not be allowed when:

1. Cars are picked up at one intermediate point and set out at another intermediate point account bad-order.
2. Cars are picked up or set out account tonnage.
3. Cars are picked up at an intermediate point and set out at a diverging point for delivery to a point on a diverging line over which crew making set-out does not operate. (A diverging point is understood to mean a junction where two or more lines converge, one or more on which the crew making the set-out does not operate.) Example: Cars picked up at Borie and set out at LaSalle, which cars were destined to points between LaSalle and Julesburg.
4. Cars are picked up at an intermediate point: and destined to: a point on that district and are set out at other than the destination point to avoid additional stops. Example: Cars picked up at Morgan destined to Aspen and set out at Evanston, to be subsequently moved Evans ton to Aspen by the local.
5. Cars set out as described in Sections (3) and (4) also include cars destined to the crew's terminal or beyond, if such cars are included in the one set-out and handled by crew assigned to local service, in accordance with Section (b) of this rule.

b) Local work will be confined to local trains as far as possible.

c) Engineers on local freight trains will be paid local freight rates of pay. Where any member of crew receives local rate for local work performed enroute over district on which engineer performs service, engineer will also be paid local rate.

d) In main line service between Council Bluffs and North Platte, Kansas City and Salina, St. Joseph and Grand Island, engineers on assigned local freight trains will be allowed a minimum of 100 miles at local freight rate of pay for every day in the month except Sunday and when used on Sunday, extra compensation for such service will be paid.

e) On Park City-Echo-Coalville runs engineers will be allowed ten (10) miles in addition to road pay for taking care of engine.

f) Engineers assigned to beet train service on the old Colorado portion of the Wyoming Division and North Platte Branch and Cut-Off, who are ready for service the entire month, and who do not lay off of their own accord, will be guaranteed not less than 100 miles for the calendar days in the month, except when they are released with permission to go home on Sunday, guarantee will not apply to such day; engineers working fractional parts of a month to be paid on same basis. It is understood that excess miles made on one day will not be used to offset payment on a day not used, and that Rule 76 shall govern date to which service will be credited.

g) On the Encampment Branch during the operation of tri-weekly service, and on the Coalmont Branch, engineers will be allowed a minimum of 2600 miles per month, at rate of pay for class of engine used, schedule rules to govern; the minimum allowance to cover overtime and extra service until 2600 miles have been earned. Compensation allowed for deadheading to and from the assignment will not be applied against monthly guarantee of 2600 miles.

h) Engineers regularly assigned to local or mixed runs of over 100 miles, who on any date cover only a portion of their run, will be compensated on basis of actual service performance with minimum payment of not less than the equivalent of the mileage of their regular run.

i) Engineers on regularly assigned local or mixed runs of less than 100 miles required to make side or lap back trips not included in their assignment will be compensated as follows:

1. Actual mileage of side or lap back trips in addition to minimum day for service on assignment.
2. If total actual miles run is less than 100 miles, overtime will begin at the expiration of 8 hours; if over 100 miles are run, overtime will be computed on basis of miles divided by 12½.

3. When overtime accrues, allowance will be made on overtime basis or as provided in Paragraph 1 above, whichever the greater.

j) Bulletins covering regularly assigned local or mixed service will show points between which assigned; whether straightaway or turnaround; number of trips; turning points; home and far terminals; days assigned and starting time.

k)

1. Crews may be started later than bulletined starting time according to service conditions and time will commence at time required to report for duty. Engineers will not be required to hold themselves in readiness for an earlier call than prescribed in the bulletin.
2. Crews assigned to local, mixed, or combination switch and road service will be allowed 100 miles for service performed in advance of bulletined starting time at rate applicable to class of service performed, except as provided in following Paragraph (3).
3. When crews assigned to local, mixed, or combination switch and road service are brought on duty in advance of bulletined starting time for extra road service, time will be computed from time required to report for duty for the extra road service until released there from, with minimum allowance of 100 miles and new day will begin when brought on duty for regular assignment.

l) A minimum of 100 miles will be allowed for trips out of turning points of assignments outside of the territory included in the assignment at the rate and under the rules governing the service performed, but such time or miles will not be used in computing overtime on the assignment.

AGREEMENT
#1807279456
Between The
UNION PACIFIC RAILROAD COMPANY
For The Territory - EASTERN DISTRICT
And The
BROTHERHOOD OF LOCOMOTIVE ENGINEERS

ASSIGNED LOCAL FREIGHT GUARANTEE

Rule 23(d) of the current agreement states:

23(d) In main line service between Council Bluffs and North Platte, Kansas City and Salina, St. Joseph and Grand Island, engineers on assigned local freight trains will be allowed a minimum of 100 miles at local freight rate of pay for every day in the month except Sunday and when used on Sunday, extra compensation, for such service will be paid.

Rule 97(c) and 97(d) of the current agreement states:

"(c) When an assigned run is temporarily discontinued for a period of more than 48 hours from the scheduled starting time, the engineer on such assignment will be permitted to exercise seniority. When assignments is re-established, it will be re-bulletined.

(d) When the carrier has definite knowledge that an assignment will not operate for at least 48 hours, it will be abolished as soon as that information is available."

The above cites rules with respect to assigned local freight service (not including Zone Locals) apply differently on the Eastern District and it is the parties desire to change this procedure by adopting a standard application. Accordingly, effective October 1, 1994, Rule 23(d) shall apply to all assigned local freight service (other than Zone Locals) on the Eastern District with the understanding that a basic day's pay will be allowed for each day an assigned Engineer is held in on an assigned work day. It is further understood that in order to qualify for this payment, the Engineer must either be available or work on the work days immediately preceding and following the day or days for which the guarantee is claimed as well as being available on the guarantee day or days. In connection therewith, Rules 97(c) and (d) will not apply to all assigned local freight service (other than Zone Locals).

Nothing in this Agreement, in any way, limits the right of the Company to abolish local freight assignments and it is understood that the Company retains the right to bulletin local freight assignments on a 5, 6 or 7 day basis.

Signed at Omaha, NE
This 26th day of September, 1994.

/s/ Michael Young
M. A. Young,
General Chairman

/s/ A. C. Hallberg
A. C. Hallber
Director Labor Relations

/s/ L. A. Lambert
L. A. Lambert
Labor Relations