

RULE 3 – SENIORITY

a. Effective January 1, 1983:

1. Passenger Engineers will have Northeast Corridor (NEC) seniority divided into two (2) prior right working zones. NEC Working Zone 1 is the territory between Boston, MA, and New York, NY (exclusive), including Springfield, MA. NEC Working Zone 2 is the territory between New York, NY (inclusive), and Washington, D.C. (exclusive), including Harrisburg, PA.
2. The seniority ranking in the Northeast Corridor (NEC) Region for Passenger Engineers with Conrail engine service seniority as of January 1, 1983, will be in accordance with the Order Selection List established pursuant to the Agreement made in accordance with Section 1165 of the Northeast Rail Service Act of 1981. Employees on the Order Selection List who possess seniority on Conrail Seniority District F – Northeastern will have prior rights to assignments in NEC Working Zone 1. Employees on the Order Selection List, who possess seniority on Conrail Seniority District G – Southeastern, will have prior rights to assignments in NEC Working Zone 2.

b. Effective December 23, 1985:

1. Upon assumption of service, Amtrak intends to establish the following working zones:

Working Zone 3	New York City, exclusive, to Albany to Cleveland, Niagara Falls, Montreal, and Boston, exclusive, and Springfield to St. Albans.
Working Zone 4	Chicago, inclusive to Pittsburgh, Fort Wayne, Indianapolis, Cincinnati, Battle Creek, Port Huron, Grand Rapids, Detroit, Toledo, Cleveland and Harrisburg to Pittsburgh.
Working Zone 5	Washington, D.C., exclusive, Pittsburgh, Salisbury, Hamlet, Savannah, Florence, Newport News, and Charlottesville.
Working Zone 6	Savannah, Jacksonville, Tampa, Miami, and Hamlet.
Working Zone 7	Chicago, exclusive, Minot, St. Paul-Minneapolis and Milwaukee.
Working Zone 8	Chicago, exclusive, Champaign-Urbana, Memphis, La Junta, Lincoln, and Kansas City.
Working Zone 9	Memphis, Salisbury, Atlanta, New Orleans, and El Paso.
Working Zone 9A	St. Louis, MO exclusive to San Antonio, TX. Houston, TX exclusive to Sanderson, TX, and Ft. Worth to Oklahoma City.
Working Zone 10	Portland, Seattle, Spokane, Shelby, Minot, Nampa, and Klamath Falls.
Working Zone 11	Nampa, Lincoln, La Junta, Las Vegas, Sparks, Salt Lake City, and

Denver.

Working Zone 12 San Diego, Los Angeles, Oakland, Klamath Falls, Sparks, Las Vegas, El Paso, La Junta, Albuquerque, and Phoenix.

Working Zone 12A Los Angeles, CA to Sanderson, TX.

2. Amtrak will offer employment to qualified Engineers holding seniority rights within the craft of locomotive engineers of each involved railroad as of December 1, 1985. Applicants for Passenger Engineer positions will be selected in accordance with the selection order list supplied by the Brotherhood of Locomotive Engineers in order to establish the initial primary or prior right zone roster.
 3. Successful applicants for Passenger Engineer positions will be placed on an Off-Corridor Seniority Roster based on the equity allocation determined in accordance with subparagraph 2, above.
 4. Composite date of hire seniority date for engineers presently in zone of contributing agency carriers, shall be established for all twelve (12) working zones in relative seniority standing with final result, one national seniority roster of engine service personnel.
- c. Effective June 2, 1988:
1. Passenger Engineers in Work Zones 1 and 2 will be placed on the Amtrak Passenger Engineer national seniority roster in accordance with Article IV.B of the December 23, 1985, Agreement and Work Zones 1 and 2 will be added to the existing work zones covered by the national seniority roster.
 2. A. The Work Zone 1 and 2 Passenger Engineers granted seniority in accordance with subparagraph 1, above, will only be able to utilize such in accordance with Article IV.C.1 of the December 23, 1985, Agreement while they are in active service as a Passenger Engineer with Amtrak.
B. Work Zone 1 and 2 Passenger Engineers voluntarily exercising their seniority to Conrail pursuant to the Section 1165 Agreement will forfeit their seniority granted in subparagraph 1, above; furloughed Passenger Engineers in active service with Conrail pursuant to the Section 1165 Agreement must accept recall or forfeit seniority on the national seniority roster.
 - C. All new employees, including employees transferring to Amtrak pursuant to the Section 1165 Agreement, will receive seniority on the national seniority roster based on the date they report to the medical examiner in accordance with Article IV.C.2 or, in the case of Section 1165 Agreement transferees, on the flow date on which they transferred to Amtrak. This provision will also apply to former Amtrak employees who forfeited their national seniority rights pursuant to subparagraph (2)(b), above.
 3. The Passenger Engineers on the Northeast Corridor roster on June 2, 1988, and Passenger Engineers flowing to Amtrak pursuant to the Section 1165 Agreement will have prior rights to the Northeast Corridor service and their respective work zones.

- d. Effective November 4, 1992, Auto Train work zone A and B engine service employees will be placed on the bottom of the work zone 5 and 6 passenger engineer roster, respectively, but will retain prior rights to regular assignments in the Auto Train service in their respective work zones. As long as the Auto Train terminates at Sanford, Florida, and Amtrak maintains an extra list at that location, existing Auto Train employees will not be required to exercise seniority to Jacksonville, Florida, in the event they are unable to hold an assignment in engine service at Sanford.
- e. 1. Newly designated Assistant Passenger Engineers hired on or before May 29, 1992, will be placed on the Amtrak Passenger Engineer national seniority roster with a seniority date of May 29, 1992. All newly designated Assistant Passenger Engineers will retain, for purposes of exercising seniority, the same relationship to each other as they had prior to the date of this agreement. All engine service employees, including individuals in engine service application pools, hired after May 29, 1992, will be placed on the Amtrak Passenger Engineer national seniority roster.

Note: Five (5) employees hired between May 29 and August 3, 1992, also are carried on the former National Firemen's Roster for bulletin and assignment purposes.

- 2. Employees who were formerly passenger firemen will have prior rights to assistant passenger engineer assignments in the crew base to which they were assigned as of August 3, 1992.
- f. Effective as a result of the assumption from CSX Transportation of the operation of Trains 50/51 between Washington, D.C. and Cincinnati, Ohio, employees of CSXT accepting employment with Amtrak will have seniority over all other Amtrak engine service employees to regular and/or extra assignments covering work in the service assumed. Successful applicants for positions will be placed on the National Seniority Roster based on the date that this service is assumed and ranked in accordance with their seniority standing with CSXT in regard to the service assumed. The service covered by this Agreement is included in Work Zone 5 of the Off-Corridor Service and will be covered by the October 26, 1982 Agreement, as amended.
- g. 1. Passenger Engineers, without prior rights as defined in paragraphs "a", "b", "c", "d" or "f" of this Rule, who enter service in a classification covered by these work rules will establish seniority as of the time and date they first report to the medical examiner. When two or more Passenger Engineers without prior rights start at the same time on the same day, they will be ranked in alphabetical order according to their last names. The ranking of all employees covered by this paragraph "g1" will follow the ranking of all employees covered by paragraphs "a", "b", "c", "d" or "f".
- 2. Employees who are qualified locomotive engineers who transfer to or are hired for positions as Passenger Engineer, will establish seniority as of the date their transfer or application is approved. Where two or more employees are approved on the same date, they will be ranked based on their earliest retained seniority date at Amtrak. Employees without prior service at Amtrak will be ranked based on the date and time they report to the medical examiner.

3. Employees who are not qualified locomotive engineers who transfer to or are hired for positions as Passenger Engineer, will establish national engine service seniority on the date of the first day engaged in the Classroom Instruction Phase of the Engineer Training Program. However, it is understood that a trainee will not be permitted to exercise seniority or work as a passenger engineer until successful completion of the entire training program, at which time the employee will be considered a qualified locomotive engineer. Where two or more employees are certified on the same date, they will be ranked based on their earliest retained seniority date at Amtrak. Employees without prior service at Amtrak will be ranked based on the date and time they report to the medical examiner.
4. It is understood that all participants in the class who successfully complete the program will be afforded the same seniority date on the passenger engineer seniority roster and will be ranked as set forth above.
- h. Passenger Engineers may voluntarily exercise their seniority to another working zone only to fill a bona fide vacancy or if subject to being furloughed in his current working zone. A Passenger Engineer unable to hold an assignment at his crew base may exercise his seniority to another zone at the same location, or one nearest thereto, prior to exercise of seniority in his own working zone, or before being required to exercise his seniority to another job at another location within his work zone.¹ This right can be exercised only if the job is unclaimed by a prior right Passenger Engineer from the zone or such job is filled by a junior employee. A bona fide vacancy is a vacancy for which no bids are received from any Passenger Engineer with a prior right to that working zone.
- i. Employees who were formerly passenger firemen will have prior rights to the awarding of second engineer assignments in the crew base to which they were assigned as of August 3, 1992.

Q & A's – RULE 3 – SENIORITY

- Q1. May a Passenger Engineer working in Northeast Corridor Zone 1 bid for and be awarded an advertised position in NEC Zone 2?
- A1. Only if no Amtrak Passenger Engineer with prior rights to Work Zone 2 assignments bids on such assignment. **Agreed: 6/23/83**
- Q2. How far must a Passenger Engineer exercise his seniority under Rule 3 before he will be allowed to take furlough or be considered deprived of employment under Article V.A.1. of the Section 1165 Agreement?
- A2. (a) A Passenger Engineer is required to exercise his NEC seniority to any position within the Work Zone in which found, except that a Passenger Engineer at the Washington Crew Base will not be required to exercise his seniority to the Harrisburg Crew Base or the New York Crew Base prior to being furloughed; the same principle will apply to a Passenger Engineer at the Harrisburg Crew base with respect to the Washington and New York Crew Bases and a Passenger Engineer at the New York Crew Base with respect to

¹ Sentence was modified from 2012 Wage and Rule Settlement Agreement

the Harrisburg and Washington Crew Bases. A Passenger Engineer who is required under this Question and Answer to exercise his seniority to the Philadelphia Crew Base will not be required to exercise his seniority to any other Crew Base prior to being furloughed, except the Crew Base from which he exercised seniority.

- (b) A Passenger Engineer at the Boston Crew Base will not be required to exercise his seniority to the New York Crew Base prior to being furloughed; the same principle will apply to a Passenger Engineer at the New York Crew Base with respect to the Boston Crew Base. A Passenger Engineer who is required under this Question and Answer to exercise his seniority to the New Haven and/or Springfield Crew Bases will not be required to exercise his seniority to any other Crew Base prior to being furloughed, except the Crew Base from which he exercised seniority. **Agreed: 6/2/88**

- Q3. In the application of paragraph (e), can a passenger engineer be furloughed while a “junior” employee occupies a second passenger engineer position?
- A3. If the “junior” employee has prior rights as a second passenger engineer, a passenger engineer who does not possess prior rights to second passenger engineer positions under this paragraph may properly be furloughed. **Agreed: NMB Case No. A-12290 pursuant to Public Law 102-306 August 3, 1992, and amended August 1, 1998.**
- Q4. Do passenger engineers have rights to second passenger engineers assignments?
- A4. A passenger engineer without prior rights to second passenger engineer assignments may only exercise seniority to a second passenger engineer position not occupied by an employee with prior rights to such assignment. **Agreed: NMB Case No. A-12290 pursuant to Public Law 102-306 August 3, 1992, and amended August 1, 1998.**