
RULE 6 – BULLETINS AND ASSIGNMENTS

- a. 1. New assignments, assignments subject to readvertisement, extra board positions, and vacancies will be advertised every Friday. The advertising period will close 11:59 p.m. the following Tuesday, and assignments will be made effective 12:01 a.m. the following Monday.¹
2. For the purpose of schedule revisions, mandatories and/or dictates of service for new assignments, the effective date of the assignment under advertisement will be the date designated on the bulletin.

Note: It is understood that the advertising and award period is based on the extra board work week and payroll period in the respective services, as well as the program requirements of the automated system. In the event of a change in any of these variables, the carrier shall notify the organization at least ten (10) days in advance of any change which may be necessary in the bid and award process.

- b. Vacancies caused by sickness, temporary disability, suspension or leave of absence, when it is known that the Passenger Engineer will be off for a period of thirty (30) or more days, or when such Passenger Engineer will have been off duty for a period of thirty (30) days, will be advertised in accordance with paragraph (a) of this Rule.
- c. For regular assigned service, the advertisement bulletin will show the crew base; reporting and relieving point; turnaround or layover point; days on which the assignment is scheduled to work; assigned reporting time; and train or crew numbers.

Note: Unless otherwise agreed to by the duly accredited representative and the Director – Labor Relations, the reporting and the relieving point for any assignment will be the same point.

- d. A Passenger Engineer who bids for and is awarded another assignment will not be permitted to bid for his former position until it has been filled and again advertised, unless the position has been materially changed. He will be permitted to exercise his seniority to his former assignment if he is displaced from the position to which he bid.
- e. A Passenger Engineer who is occupying a regular assignment which is readvertised in accordance with the provisions of this Rule may elect to exercise his seniority to another assignment within forty-eight (48) hours after the effective date and time of the change causing the readvertisement. A Passenger Engineer who elects to remain on the assignment must bid for it if he desires to remain after the advertisement is closed and the assignment has been made. If he does not bid for it, and he is not assigned to any other job as the result of that advertisement, he will immediately leave the assignment he has been holding, and will be allowed five (5) days in which to exercise his seniority and may select any job held by a junior man, except the job he has been occupying and on which he did not bid.

¹ January 27, 2012 Wage and Rules Settlement Agreement.

Note: Effective March 9, 1989, engineers who are entitled to exercise their seniority rights to displace junior employees will be permitted to select a vacant assignment which is under advertisement. Employees who exercise displacement rights to assignments subject to or being advertised shall be considered automatic bidders for such assignments. An employee who exercises seniority to a vacancy who is not fully qualified on such assignment will not be permitted to occupy such assignment until fully qualified. In the event a senior employee is awarded the assignment after the advertisement is closed, the junior employee who picked the vacancy will be required to exercise his seniority to another assignment within twenty-four (24) hours after the effective date and time of the award.

- f. A Passenger Engineer returning to duty after being absent less than thirty (30) days by reason of sickness, temporary disability, suspension or leave of absence, will be permitted to exercise his seniority on an assignment advertised and filled during his absence, provided he exercises such right before he performs any service. A Passenger Engineer absent because of a reason listed in this paragraph for a period of thirty (30) days or more, upon his return to duty, may exercise his seniority on any assignment.

A Passenger Engineer returning to duty after being absent by reason of vacation will be permitted to exercise his seniority on an assignment advertised and filled in his absence, provided he exercises such right before he performs any service.

- g. Regular assignments will be readvertised when any of the following permanent changes are made in such assignments:
 - 1. changing the crew base, layover, or turnaround point;
 - 2. changing advertised starting time at the crew base or arrival time at the end of the assignment, one (1) hour or more;
 - 3. changing the assigned rest days.
- h. Assignments will be made to employees in seniority order from bids submitted through an automated system prior to the close of an advertisement period. Employees will be given a receipt number for bids submitted through such automated system. Employees possessing prior rights to Assistant Passenger Engineer positions under Article V, Section D of the Agreement made in settlement of NMB Case No. A-12290, will have prior rights to regularly assigned second Passenger Engineer positions to the same extent they had prior rights to Assistant Passenger Engineer positions. Any such employee who is unable to hold a position as a Passenger Engineer within a 130-mile radius of his/her crew base as the result of the implementation of Section 1 shall be retained on the Passenger Engineer extra board. Second passenger engineer assignments will be awarded in the order and manner specified in Appendix "C".
- i. When no bids are received for a regular or extra board assignment, such will be so designated on the award; the senior Passenger Engineer in the work zone who, within seven (7) calendar days of such award makes written application to be qualified and assigned, will be assigned the position and instructed to qualify in accordance with Rule 16(c). Such Passenger Engineer may not voluntarily exercise his seniority to another position for a period of six (6)

months from the date fully qualified to work the assignment, unless entitled to a displacement right pursuant to Rule 8, or is the successful applicant for a position in the same geographic service. In the event the employee's assignment is readvertised incident to the change of time, he will be required to bid on such assignment or on an assignment in the same geographic service as his first choice. If no written application for voluntary assignment is received for a regular assignment, the assignment will be filled by the junior Passenger Engineer on the extra board at the same crew base as the assignment that failed for bid.

Note: Rule 6, paragraph (j), references the force assignment of the junior Passenger Engineer and not any other Passenger Engineer utilizing the newly amended language.

- j. When an assignment that failed for bid is filled in accordance with paragraph (i), the Passenger Engineer assigned will remain on the assignment until a junior Passenger Engineer becomes available at the crew base. The senior Passenger Engineer who is force assigned in accordance with paragraph (i) will be promptly notified and have twenty-four (24) hours after notification to elect to vacate the assignment and exercise his seniority. If the assignment is vacated, the junior Passenger Engineer will be assigned to the vacated Passenger Engineer assignment. If the senior Passenger Engineer who was force assigned in accordance with paragraph (i) elects to remain on his assignment, the next junior Passenger Engineer who was force assigned will be permitted to vacate his assignment and exercise his seniority as outlined herein. A Passenger Engineer who is force assigned will be permitted to bid for any Passenger Engineer assignment.
- k. When an extra board is to be increased, the required number of Passenger Engineers may be added to the board during the advertisement and assignment period with the understanding that they are bidders for the board.
- l. When regular runs are rearranged, the local representative of the Corporation and the duly accredited representative(s) having jurisdiction will arrange to meet for the purpose of grouping such runs consistent with seniority, with the understanding that the Corporation reserves the right to place a schedule in effect to protect the service when no agreement is reached.
- m. Amtrak will have the right to eliminate the two (2) remaining blankable fireman positions, provided, however, that the former firemen who could have occupied such blankable positions shall have the limited right to fill these positions if they cannot occupy any engineer or assistant engineer position in their respective work zones.
- n. In lieu of advertising all positions twice a year Passenger Engineers will have the opportunity to exercise an optional displacement twice a year. Passenger Engineers in each work zone may elect to exercise an optional displacement to an assignment held by a junior employee or to an assignment that is subject to or being advertised for bid in their current or prior right work zone. The application for an optional displacement must be submitted in writing by

12:00 Noon on the first Monday in the months of February and August, to be effective at 12:01 A.M. on the third Monday thereafter.²

Except as noted below, employees displaced as a result of this optional displacement shall be notified as soon as possible and shall have twenty-four (24) hours from the time notified to exercise seniority over a junior employee or to an assignment subject to or being advertised for bid, until the advertisement is closed. All employees exercising displacement right to another assignment as a result of this Agreement who are not fully qualified on such assignments will not be permitted to occupy such assignment until fully qualified. Additionally, the incumbents of such assignments will not be considered displaced until the displacing employee fulfill such qualifying requirements.

Employees who exercise seniority to assignments subject to or being advertised shall be considered an automatic bidder for such assignment. An employee who exercises seniority to a vacancy as a result of this Agreement who is not fully qualified on such assignment will not be permitted to occupy such assignment until fully qualified. Further, it is understood that a Passenger Engineer that is displaced as the result of a senior employee exercising under the optional will have twenty-four (24) hours from the date displaced to exercise their displacement right. Should a senior employee be awarded the assignment after the advertisement is closed, the junior employee who exercised to the vacancy will be required to exercise his seniority to another assignment within twenty-four (24) hours after the effective date and time of the award. In any event, should the Passenger Engineer fail to exercise displacement within twenty-four (24) hours, they will be placed on the extra board at the crew base in which they were displaced.

Employees moving between extra board and regular positions, and vice versa, will be guaranteed a minimum of forty (40) hours pay providing they remain available for service during the payroll period in which those awards are effective.

- o. Combination passenger engineer and second passenger engineer assignments may be established by agreement between the Division Manager – Labor Relations and the Local Chairman, subject to the approval of the Director – Labor Relations and the General Chairman.

Q & A's – RULE 6 – BULLETINS AND ASSIGNMENTS

- Q1. Will a Passenger Engineer be permitted to remain on a job he bid from if the job he bid for does not commence work during the following forty-eight (48) hours, (rest days), and the assignment he is bidding from has not yet been under advertisement?
 - A1. Yes. In order to avoid any loss of time due to changing assignment, a Passenger Engineer bidding from a regular assignment that is not under advertisement may remain on the assignment he has bid from for a period not to exceed forty-eight (48) hours from the time the assignment becomes effective. **Agreed: 6/23/83**
- Q2. A Passenger Engineer's assignment is readvertised. He does not bid for this assignment or any other assignment, and chooses to remain on the assignment while it is under

² 2012 Wage and Rules Settlement Agreement added Work Zones 1 and 2 to the optional displacement process

advertisement. What happens to this Passenger Engineer when the advertisement is closed and the assignment has been made?

- A2. He must vacate the assignment on the effective date of the award and will have five (5) days to exercise his seniority to any position other than the assignment he is holding. **Agreed: 6/23/83**
- Q3. How do we define permanent changes in a regular assignment? For example: track work for a week, month, or year.
- A3. When it is known that it is a change of thirty (30) days or more. **Agreed: 6/23/83**
- Q4. In the application of Rule 6, paragraph (i) who is considered as the junior Passenger Engineer working at the same Crew Base?
- A4. Junior Passenger Engineer on the Crew Base Extra Board at the location where the assignment failed for bid. **Agreed: 4/6/83**
- Q5. When a junior Passenger Engineer becomes available at the crew base, releasing a senior man who was force assigned, and is force assigned in his place, does he have the right to be released if another junior man marks up?
- A5. Yes. **Agreed: 6/23/83**
- Q6. If the junior Passenger Engineer on an extra board is force assigned to an assignment that failed for bid under the provision of Rule 6, paragraph (i), will his weekly extra board guarantee be prorated?
- A6. If the Passenger Engineer was available for service during that portion of the weekly period he was on the extra board and works all the hours of his regular assignment for the remainder of the extra board weekly period, he will be allowed the difference between what he actually earns in the weekly period and the money equivalent of forty (40) straight time hours. **Agreed: 6/23/83**
- Q7. A Passenger Engineer assigned to an extra board at Crew Base A is cut from the extra board and immediately exercises his seniority to an extra board at Crew Base B and is available for service during the entire weekly period. Would such Passenger Engineer be entitled to the weekly guarantee provided in Rule 9?
- A7. Yes. **Agreed: 6/23/83**
- Q8. When a Passenger Engineer exercises displacement rights to an assignment for which he does not meet all qualifications, will the incumbent Passenger Engineer be considered immediately displaced?
- A8. No; the incumbent Passenger Engineer will not be considered displaced until the displacing Passenger Engineer meets all the qualifications required of the assignment and physically displaces the incumbent. **Agreed: 8/2/83**