
RULE 7 – REDUCING AND INCREASING FORCES

- a. In reducing forces, seniority will govern. Passenger Engineers affected by a reduction of force or abolishment of positions will be given five calendar days' advance notice. A copy of such notice will be posted on bulletin boards, with a copy to the duly accredited representative.

Passenger Engineers whose positions are abolished may exercise their seniority rights to displace junior Passenger Engineers within five calendar days after the date of notification of abolishment. Passenger Engineers displaced may exercise their seniority in the same manner within five calendar days after the date of notification of displacement. Passenger Engineers who are able to but fail to exercise their displacement rights within the prescribed time limit will revert to the extra board. Passenger Engineers not possessing sufficient seniority to displace any Passenger Engineers will be placed in furlough status.

Passenger Engineers exercising displacement rights under this Rule must meet all the qualifications required of the assignment to which they displace before being permitted to work.

Note: Off-Corridor employees would not be required to exercise their seniority throughout their entire work zone. Taking into account geographical distance and frequency of passenger train service, it has been determined that Passenger Engineers will only be required to exercise their seniority to the following assignment: assignments at their Crew Base; assignments protected by the extra board at their Crew Base, i.e., outlying points; and assignments of other Crew Bases within 130 miles of the employees home Crew Base but only if necessitated by service requirements.

- b. Passenger Engineers will promptly notify the Corporation in writing, by certified mail, return receipt requested, of any change of name or address, and provide a copy to the duly accredited representative.
- c. When forces are increased or vacancies occur, furloughed Passenger Engineers will be notified by certified mail or telegram, sent to the last address given, with a copy provided to the duly accredited representative, and will be recalled to service in seniority order.
- d. Furloughed Passenger Engineers who fail to return to service within 15 calendar days after being notified in accordance with paragraph "c" of this Rule will be considered as having resigned, unless they present sufficient proof that circumstances beyond their control prevented their return.
- e. Engine service employees who elect to take home terminal furlough will be permitted to bid on positions at other locations. In the event such employee is a successful bidder, he will no longer be considered as being on a home terminal furlough coincident with the effective date of the assignment.

Q & A's – RULE 7 – REDUCING AND INCREASING FORCES

Q1. If a Passenger Engineer, who is notified that his position is abolished, fails to exercise his displacement rights, will this be considered a displacement onto the extra board so that one employee will be cut off the board for each one added through failure to exercise seniority?

A1. The Engineer will revert to the Extra Board and the Extra Board may be immediately adjusted.

Agreed: 6/23/83

Q2. At Crew Base "A" the Passenger Engineer's Extra Board is cut by one man. What happens to the employee cut from the Board who fails to exercise seniority within five days?

A2. An employee cut from an Extra Board must exercise seniority within five days. If he is able to but fails to do so, he may only return to active service by bidding on advertised assignments. **Agreed: 6/23/83**

Q3. Does Rule 7 require that five days advance notice be given if the number of positions on an Extra Board is to be reduced?

A3. No. **Agreed: 6/23/83**

Q4. Rule 7 allows a Passenger Engineer to exercise displacement within five days after the date of notification of abolishment of positions. What is considered the first day of this five day period?

A4. The first full calendar day following the date of the notice. For example, notice is posted 3:00 pm on January 5, 1983, the five day period begins 12:01 am, January 6, 1983. **Agreed: 6/23/83**

Q5. Will a man forfeit his NEC Seniority on Amtrak if he is recalled from furlough by Amtrak and Conrail does not release him? (BLE 3/22/83)

A5. No. **Agreed: 3/22/83**