

(c) It is agreed that a way freight train being "run as assigned" means run within twelve hours of its schedule or specified leaving time and that when not run within such time, providing it is physically possible to run any trains, the guarantee has not been fulfilled and an additional day is payable.

It is understood the 12-hour period will end when the engine reaches the main track switch connection with the yard where the road trip begins.

(d) Way freight rates will be allowed when way freight service is performed. Way freight service is understood to include the loading or unloading of L. C. L. merchandise, and local switching at points intermediate between the terminals of the run, of cars not handled in that train. The movement of other cars necessary to effect a set-out or pick-up of cars handled in the train will not be considered local switching under this rule.

### ARTICLE III

## HOSTLERS AND HOSTLING

### RULE 16(a). Hostlers and Hostler Helpers' Rates and Basic Day.

Outside hostlers \$15.89 per day; inside hostlers \$15.21 per day; outside hostler helpers \$14.60 per day.

Eight hours or less to constitute a day's work.

NOTE: The rate of \$15.89 for outside hostlers applies only on such days as outside hostling is performed, such as movement of engines between roundhouse and depot, between roundhouse and yard, and in addition any movement of engines that involves the use or fouling of the main track.

Outside hostling does not include the movement of engines in and around roundhouses and shops when such movement does not foul the main track; nor does it include switching of cars, except as it may be necessary to move them in connection with getting out engines. Other switching of cars is switch engine work and should be so handled.

The rate of \$14.60 for outside hostler helpers applies only on such days as the outside rate is paid to hostler. The term "hostler helper" applies only to employes used

to assist outside hostler. Hostler will show on time slip when such outside movements are made, including name of his helper.

**(b) Hostler Overtime.**

Except when changing off, where it is the practice to work alternately days and nights for certain periods, working two shifts to change off; or where exercising seniority rights from one assignment to another or when extra men are required by schedule rules to be used, all the time worked in excess of eight hours continuous service in a 21-hour period shall be paid for as overtime, on the minute basis, at one and one-half times the hourly rate.

**(c) Hostler-Inspector.**

When hostlers are required in addition to their regular duties to act as inspectors, the rates of pay will be not less than those of hostlers. When hostlers are taken off and inspectors substituted, firemen will be given preference for such positions.

**(d) Hostler Lunch Period.**

Hostlers will be allowed twenty minutes for lunch between four and one-half and six hours after starting work without reduction in pay. Hostlers will not be required to work longer than six hours without being allowed twenty minutes for lunch.

The lunch period must be given and completed within four and one-half and six hours after starting work.

**(e) Hostler Starting Time.**

Regular hostlers shall have a fixed time for beginning work each day. Such time may vary for each terminal but must be fixed for and posted at each terminal. Should conditions of work to be performed necessitate a change in such hours, the usual notice shall be given.

**(f) Hostler Service, Eligibility for, and how Filled.**

Employees covered by this schedule will be given preference to positions of hostling in accordance with their seniority. A hostler fixture is a hostler who holds no seniority, but holds prior and exclusive rights to the particular assignment now held by him, and to such position only. A hostler fixture cannot be displaced from his existing assignment, but holds no rights to bid or to displacement on any other assignment.

Firemen with less than two years' experience shall not be eligible for hostler service except when individually reported qualified by the Master Mechanic to handle such service.

It is agreed that when there are firemen available on the firemen's extra list with two years (730 days) or more experience, that such fireman will be considered qualified for hostler service, unless actually disqualified by investigation by the Master Mechanic.

No regular hostler will be permitted to vacate positions except on November 1st and May 1st of each year unless approved by Master Mechanic and Local Chairman, except that firemen obtaining hostling jobs by bulletin will not retain same after it becomes their turn to be reduced from the working list, unless covered by provisions of paragraph 4 of Note under this rule.

If there are no applicants on a bulletined hostler vacancy, such vacancy will be filled by the junior qualified fireman on the seniority district, just the same as if he had bid on the job and been the successful applicant. In such case, this fireman will hold this hostler job for duration of bulletin period regardless of force increases or decreases. A "qualified fireman" is one whose qualifications are as defined in the second and third paragraphs of this Rule 16(f). It is understood in the application of this rule when there are any furloughed "Qualified firemen," Rule 54(g) will apply.

Temporary vacancies in hostling service will be filled by extra men who are eligible. Should there be no eligible firemen on extra list, the temporary vacancy shall be filled by the junior, qualified switch engine fireman with an assigned starting time closest to the starting time of the hostler's temporary vacancy, who shall continue filling such vacancy until regular hostler returns, or eligible extra fireman is available.

**NOTE:** (1) All hostlers' positions other than those filled by hostler fixtures will be bulletined to firemen for a period of ten days immediately prior to May 1st and November 1st of each year. When bidding on such bulletins, applicants will specify their order of preference as to shifts or assigned hours. During the six months' period which the bulletin covers, bidders thereon will have rights only to positions to which they have expressed a preference in their bid. In other words, a fireman who bids only on a first shift hostler

position, will, upon such bulletin, or in exercise of seniority thereafter, have rights only to first shift hostler positions during the six months' period.

A fireman displaced from a hostling job, either through cancellation of such assignment or through displacement by another employe in the exercise of seniority, must displace any hostler his junior (other than hostler fixtures) provided his bid for the current six months' period included designation of the position upon which he wishes to exercise seniority.

(2) If additional hostling shifts are authorized after the regular semi-annual bulletin has closed, preference to such additional shifts for the remainder of the six months' period will go first to firemen already holding assigned positions as hostler, and shifts thereby left vacant will be bulletined for the remainder of the six months' period.

(3) Firemen on leave of absence, or laying off on account of illness, at the time the semi-annual bulletin is placed, will be privileged to bid on such bulletin during the bulletin period, and if successful bidders thereon, will take such position upon their return to service. If a fireman on leave of absence is the successful bidder on such a bulletin, the assignment which he bid in will, until his return, be considered and filled as a temporary vacancy for 10 days and then to the oldest man applying.

(4) This interpretation is only of the schedule rule itself, and if local agreements have been or may be made at any point whereby special consideration is being given to furloughed men for hostling positions, this interpretative note will not cancel such local agreement.

#### **(g) Hostler Duties and Hostling by Firemen.**

At main line terminals where hostlers are employed, their duty will be to see that fires are cleaned and fuel, water and sand put on all engines. At ends of runs where this work is done by firemen, they will be paid for actual time consumed in doing the work at schedule rate, provided that in no case will less than five miles be allowed for this service.

If time consumed exceeds twenty-four (24) minutes, actual time is to be paid. Time to be computed on the basis of twelve and one-half miles per hour.

Firemen will receive their engines from hostlers on the roundhouse lead or other place designated by the division master mechanic or superintendent and at the expiration

of runs will deliver them on roundhouse lead or other designated track.

**(h) Clean Fires.**

Firemen will not be required to clean fires at main line terminals except at intermediate or junction points and then only when regular force is not on duty.

**(i) Fuel and Water at Terminals.**

When it is necessary for firemen to take fuel and water at ends of runs, where hostlers are employed or where crews are changed and engines run through, they will be paid actual time consumed in doing the work at schedule rates with a minimum of five miles.

**(j) Hostling — Definition.**

Hostling of an engine is primarily the preparation and supplying of such an engine, either for entrance upon its trip or shift at the initial terminal, or for its storage or maintenance during the time it is tied up at the final terminal. At the initial terminal, such preparatory work may include, for example, bringing the engine out of the roundhouse, placing upon it the fuel, water, or sand necessary to its service, and its placement upon the designated track for delivery to the outgoing crew. At the final terminal, work preparatory to tie-up may include dumping of the fire, movement of the engine from the designated track to the appropriate stall in the roundhouse or equivalent track, or if the engine is to be held under steam, it may be necessary to supply it with additional fuel or water for that purpose. Such work, or any of it, so long as it is preparatory to work or tie-up, is hostling. However, the mere taking of fuel or water at a terminal does not, in itself, constitute hostling; for an engine might be hostled and entirely ready for service, and yet additional fuel or water might be necessitated at the same terminal, before the run or shift was completed, due to subsequent delays in departure or the performance of the regular work of the road or yard crew. The securing of such additional supplies is not hostling, so long as the engine was properly supplied when the run or shift started. However, the taking on of necessary supplies cannot be removed from the hostling classification by the mere requirement of movement of the engine a few hundred feet, or the performance of a switching movement before such supplies are taken on. Officers and employes should be guided by the principle that hostling is a pre-

paratory service, and that it necessitates the actual expenditure of some time therein. No engine can be properly hosted in five minutes, and claiming of the 24-minute arbitrary for such short periods of time is evidence that the claim is based upon a technicality of wording and not on actual performance of work.

#### **INTERPRETATION: (May 1, 1951).**

Junior, qualified switch engine firemen with an assigned starting time closest to the starting time of the hostler's temporary vacancy will be called when no extra list firemen are available.

For example, assume there are six regularly assigned switch engine firemen on the first shift qualified to perform hostling service—Firemen A, B, C, D, E and F. In their relative seniority order, "A" senior and "F" junior, all are performing service on the first shift. The assigned starting times of these firemen are:

- A — 8:00 A.M.
- B — 6:30 A.M.
- C — 7:00 A.M.
- D — 7:30 A.M.
- E — 6:45 A.M.
- F — 7:15 A.M.

When there are no qualified firemen available on the firemen's extra list for hostling service and there is a temporary hostler's vacancy commencing at 8:00 A.M., Fireman "A" should be called for this vacancy. Likewise, if there is a temporary hostler's vacancy with an assigned starting time of 7:00 A.M., Fireman "C" should be called for this vacancy. The fireman initially called shall continue filling such vacancy on subsequent days until the regular hostler returns, or an extra list fireman, qualified for hostler service, is available.

### **ARTICLE IV**

#### **YARD AND TRANSFER SERVICE**

##### **RULE 17. Yard Service.**

###### **(a) Basic Day.**

Eight hours or less shall constitute a day's work in yard service.