

A G R E E M E N T
between the
UNION PACIFIC RAILROAD COMPANY
EASTERN DISTRICT
and the
BROTHERHOOD OF RAILROAD TRAINMEN
MODIFICATION OF RULE 90
PROMOTION - DUAL RIGHTS - YARDMEN

It is agreed that the provisions of Rule 90, "Promotion - Freight Brakemen" of the Agreement effective November 1, 1957 are modified to the extent herein provided:

1. Dual rights Yardmen who have accumulated 3 years seniority as brakemen will be called in their seniority order as brakemen for the air brake rules examination.

2. The provisions of Rule 90(d) will be applicable to yardmen who are notified to appear for examination.

3. If practicable, dual rights yardmen should have at least 6 months experience as a freight brakeman on the freight district on which they hold seniority as a brakeman. However, it is realized that it is not always possible to comply with such a requirement, therefore, should a dual rights yardman pass the required examinations for promotion to conductor, he will be required to accumulate 6 months actual service as a freight brakeman on the seniority district on which he holds brakeman's rights subject to the following conditions:

(a) After passing required examinations, and providing he has not accumulated the necessary qualifying trips in road freight service, he must commence such service on the freight seniority district on which he holds seniority as a brakeman as soon as his seniority as brakeman permits him to do so and remain in such service as long as his seniority permits him to do so until he fulfills the qualifying requirements set forth herein.

(b) Six months' service as a freight brakeman is interpreted to mean 180 basic days of compensated service, exclusive of arbitraries and special allowances, initial and final delay, deadheading, held away from home terminal time, overtime, etc.

(c) He will not be accorded a date as conductor until he has accumulated the 6 months' service as freight brakeman provided for herein, and should he fail or refuse to go into freight service as a brakeman when his seniority permit he will not be accorded a date as conductor.

Should he again desire to establish a conductor's seniority date, he must make written application to the Superintendent for permission to take the required examinations. Upon being granted permission, he will be required to again fulfill all the requirements of this agreement and upon fulfilling the qualifying requirements as set forth

herein he will be granted a seniority date as conductor as of the date he again passed the required examinations as provided for in Rule 90(d) of the Schedule. He will not be credited with any service previously accumulated as a freight brakeman.

Exceptions to this paragraph may be made in case of injury, illness or other valid reasons which preclude dual rights yardmen from going into freight service when their seniority permits, subject to agreement between the General Chairman and General Manager.

(d) When a dual rights yardman has met the requirements set forth herein he will be accorded a conductor's seniority date under the provisions of Rule 90(e) of the Schedule, except as provided for in Paragraph 3(c) hereof.

4. It is understood and agreed that the provisions of Section 5, Paragraphs (a) and (b) of the Agreement dated July 27, 1956, effective June 23, 1962, "Establishment of Dual Interchangeable Seniority Rights for Employees in Train and Yard Service", are waived in the application of this agreement, during the period of time that a yardman is qualifying as a conductor and not after his promotion.

Dated at Omaha, Nebraska this 4th day of January, 1967.

FOR BROTHERHOOD OF RAILROAD
TRAINMEN:

/s/ H. A. Janulewicz
General Chairman

FOR UNION PACIFIC RAILROAD
COMPANY:

/s/ N. T. DeLong
Asst. to Vice President-
Labor Relations