ITEM ‑ 34

E‑013‑23‑80‑Y

                           T‑1238

January 3, 1964­

H. A. Janulewicz, General Chairman  
Brotherhood of Railroad Trainmen  
18 Kilpatrick Building Omaha 2, Nebraska

(CC ‑      R. B. Murdock, General Chairman

           Order of Railway Conductors & Brakemen

           1125 W.O.W. Building

           Omaha 2, Nebraska

Dear Sir:

This has reference to my letter of August 27, 1963 disposing of docket of time claims, with particular reference to claim of Conductor R. Marymee, Brakemen 0. N. Carley and C. W. Cooper, for 100 miles each at through freight rate of pay for being required to turn engine 137 on the wye at Sidney, February 3, 1963:

Conductor Marymee and crew were called to report at Sidney at 4:10 PM on February 3, 1963 for Extra 170 West. At about 4:20 PM, advice was received that the train for which this crew was called had developed unit trouble east of Sidney. For this reason, it was decided to add power to the train upon arrival at Sidney to overcome some of the delay. Unit 137 was standing at the coal chute facing east, and this crew and the engine crew were instructed to turn it on the wye and leave it ready to back onto the train upon arrival Sidney. However, additional trouble developed on Extra 170 prior to arrival Sidney, and as a result three trains ran around it enroute. All of this occurred after this crew was called and instructed to turn Unit 137 on the wye.

In order to preserve first‑in first‑out order, this crew was given Extra 324 West and departed Sidney in their proper turn.

You were advised in my letter of August 27, 1963 that General Chairman Sampier, BofLE, had submitted a claim involving this particular incident, that a proposed settlement had been made to him, and that you would be further advised when we heard from him.

General Chairman Sampier has signed an agreement providing for an allowance of the actual time consumed with a minimum of one‑hour. I am therefore agreeable to negotiating the following understanding with your Organization:

Outbound train crews required to turn engines on wye at Sidney and Hastings when it is their terminal will be compensated on an actual minute basis at road rates including initial delay time accruing with a minimum allowance of one hour at pro rata rate.

Inbound train crews required to turn engines on wye at Sidney and Hastings when it is their terminal will be compensated on an actual minute basis at road rates including final terminal delay time accruing with a minimum allowance of one hour at pro rata rate.

The instant claim will be settled on that basis.

Yours truly,

/s/ J. T. Singent

ACCEPTED:

/s/ H. A. Janulewicz General Chairman, BofRT

/s/ R. B. Murdock General Chairman, ORC&B

(A‑34‑2)