

Side Letter 11 – Standing Bid



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United States Region
Labor Relations Department

17641 South Ashland Avenue
Homewood, Illinois 60430-1345

September 29, 2005

Mr. J. R. Koonce
General Chairman
Brotherhood of Locomotive Engineers and Trainmen
5909 Shelby Oaks Drive – Suite #139
Memphis, TN 38134 - 7318

Dear Mr. Koonce,

The following confirms the procedures that will replace Side Letter 14 and Article 8, Section 2 A through C, in the BLE-IC 2002 Agreement dated June 3.

Assignment to positions shall be governed by seniority. A standing bid system will operate and employees' job preferences will be maintained in crew calling system and can be updated under the following rules.

This procedure permits employees to submit their choice for assignments in order of preference and such assignments will be awarded to employees based upon their relative seniority standing.

Definitions

C.O.C. – Change of Card

C.O.C. Day - 0001 Monday

P - Initial used herein to designate a Permanent position with a 28-day cycle.

T - Initial used herein to designate a Temporary position with a 7-day cycle.

P-C.O.C.=Permanent Change of Card, will occur each 28-day cycle at 0001 Monday

T-C.O.C.=Temporary Change of Card, will occur each 7-day cycle at 0001 Monday

SECTION 1 Submitting Choices

- A. All Permanent Assignments and all Temporary Assignments (excluding GEB) will be adjusted based upon the preferences Engineers have submitted on their Permanent and Temporary C.O.C.

- B. Temporary vacancies of seven (7) days or more will be filled in accordance with the provisions contained herein. Engineers will be permitted to submit changes or insert new assignments to their T-C.O.C. (Temporary Change of Card) Form weekly between 06:00 Monday to 23:59 Friday.

Note: There are no Temporary Vacancies on the GEB.

- C. 1. Engineers will be permitted to insert new assignments to their P-C.O.C. Form weekly between 06:00 Monday to 23:59 Friday.
2. The last week (Monday to Friday) of each 28-day period Engineers will be permitted to submit changes to their P-C.O.C. Form. Changes may be submitted between 06:00 Monday to 2359 Friday during the last week in each 28-day period.
- D. For both Permanent and Temporary C.O.C., changes may be made by phone when unable to be made by computer, such as an Engineer returning from vacation, leave of absence or discipline, etc.

Note: Changes by phone not received by 23:59 Friday preceding board change day will not be accepted. Previous board change card will remain in effect.

- E. Employees will be allowed to delete positions from their P-C.O.C. Form except for the permanent position currently assigned to them. Deletions can be made between 06:00 Monday to 23:59 Friday. The change will be effective on the next T-C.O.C. day. Once deleted the permanent assignment cannot be re-added until the time period provided in Section 1 Paragraph C.2, herein.

Abolishment of Assignments

- F. The Company will, when possible, abolish and/or establish assignments to be effective at 0001 on Monday of any given week. Newly established assignments that are bulletined after 2359 on a Friday will be run extra until the assignment is awarded by Standing Bid. When it is not possible for the Company to abolish an assignment to be effective 0001 hours on Monday of any given week, Engineer's will have full rights to:
1. If the assignment is immediately re-established, at the Engineer's option the Engineer may remain on the assignment;

OR

2. Request to be placed on the next assignment as indicated on his/her Permanent Change of Card form. Engineers affected by this request will have the right to request the same.

OR

3. Request to be assigned to the GEB.
4. Engineers who do not make the request at the time of notification will be assigned to the GEB until the next C.O.C. Day when they will be assigned in accordance with their applicable C.O.C. Form (Perm/Temp) subject to the provisions of Paragraph 5 below.
5. As a result of the application of Paragraph 4 above, Engineers who are placed to the GEB will:
 - (i) For the remainder of the week is afforded a guarantee payment of a basic day's pay for each day if the employee is available for the calendar day and does not perform any compensated service, and was available immediately after notification of the abolishment.
 - (ii) Upon request of the employee, be assigned by the CMC with Sunday as a rest day if the employee has not had a day-off in the 7-day period.
6. For the purpose of this Rule when assignments are bulletined on the seniority districts established under this agreement, the following information will be identified:

Prior rights, which include:

- (a) 1973 ICG Merger Prior Rights
- (b) Former Consolidated Seniority
- (c) Seniority District

General

- G. Engineer's will be notified on Saturday by 2359 hours prior to C.O.C. if they will be on a different assignment on C.O.C. Day and if this does not happen regularly, the General Chairman and the Director Labor Relations, or their respective designates, will meet within 30 days to discuss and resolve.

SECTION 2 Assignment of Engineers

- A. 1. Calling windows (spread time) will be adjusted so as not to overlap 00:01 Monday C.O.C. Day. Regular assigned employees with a calling window prior to 00:01 Monday are subject to fulfill the requirements of their previous position by either working or being annulled and will not be considered placed in accordance with their

Standing Bid Card until:

- (i) The employee is available, and
 - (ii) The position is subject to call at the home terminal.
2. At each C.O.C. day, Engineers will be assigned based upon their tie up time at the home terminal from their last tour of duty, in accordance with their C.O.C. Form. Engineers newly assigned to the GEB will be placed at the BOTTOM of the board in accordance with their previous tie-up time. If two or more engineers have the same tie-up, they will be placed at the bottom of the board in accordance with their seniority.
- B. When it is known at least 48 hours prior to a C.O.C. day that an Engineer will be off the working board for the entire adjustment period, the Engineer will be unassigned at the C.O.C. Day, and the next senior Engineer indicating their preference will be assigned.
- C. When it is known at least 48 hours prior to a C.O.C. day that an Engineer who was previously unassigned will become available within the next period, that Engineer will be assigned in accordance with Section 1 Paragraph B & C herein.
- D. Engineers returning to work from an extended absence of unknown duration after a C.O.C. day (or after the 23:59 Friday cut-off) will be assigned by the Crew Management Center to the GEB until the next C.O.C. day when their C.O.C. Form can take effect. A position on the GEB will be created if none exists. The Engineer assigned to the GEB will receive payment as described in Section 1 Paragraph F 5 (i) herein.
- E. In the event there are no bids for an assigned position, it will be filled in accordance with the following:
 1. Senior Engineer who was displaced on C.O.C. Day and does not have any recorded positions left; if none,
 2. Senior Engineer who does not record any bids; if none,
 3. Junior Engineer on the Locomotive Engineer's Extra Board where the vacancy exists if there is a surplus; if none,
 4. Senior demoted Engineer not working as such within the terminal; if none,
 5. The senior demoted Engineer on the Seniority District nearest via highway miles to the location where the vacancy exists; if none,
 6. The junior Engineer on the Seniority District who is occupying a GEB that is

defined as having a surplus number of employees, and is nearest via highway miles to the location where the vacancy exists. This sub-paragraph (6) will not apply to employees identified in Article 7, Sub-Section 8 of the BLE-IC 2002 Agreement who have never vacated their former "protection zone" as provided for in the 1973 ICG Merger Implementing Agreement.

F. An Engineer who does not record all available positions will, when unable to hold positions recorded, be assigned in the following manner:

1. Unfilled position at the home terminal, if none,
2. Unfilled position on the GEB at the home terminal, if none,
3. Will be assigned to the GEB at such employee's home terminal with an assigned rest day as determined by the CMC.

G. Article 11 A will apply when GEB Engineers are awarded a different off day.

Example: Engineer A has Friday as his regular day off. Engineer A is displaced off Friday as his day off and is notified the Saturday before C. O. C. day that he will be assigned Monday as his new day off at 0001 hours on Monday. Engineer A will not be called for service that commences after 2000 hours on the Sunday that precedes the change in his day off.

SECTION 3 General

A. The Parties agree that changes to the Standing Bid process can be made with the concurrence of the General Chairman and the Director of Labor Relations.

I trust the foregoing reflects our discussions on this matter.

Yours truly,

Signed

R. K. MacDougall
Director Labor Relations

I concur:

Signed

J. R. Koonce
General Chairman