

## A2 Pools denied turn back on 6<sup>th</sup> day

We are trying to clear up the issue of turning back to home terminal when you arrive and are on your first off day with Chief dispatchers, CMC and with the labor relations department.

There is confusion concerning the intentions of the self supporting pool agreement that needs to be documented by submitting a penalty claim for the local to use as proof of the violations occurring.

The language in the agreement is clear that when you arrive on your 6<sup>th</sup> day the carrier may hold you if there is a need/train for you to protect upon rest. It is also clear that when you arrive on your off day they are to combo you home. You need to contact the chief or dispatcher and notify them when you report for duty and that you are going out on your 6<sup>th</sup> work /rest cycle day and off day starts at 00:01. If you will arrive after 00:01 you tell them you will be arriving on you're off day and need a taxi to bring you home when you arrive.

We meet with Labor relations in November and discussed what has been occurring and agreed the intentions were to send the engineer home if he arrived on his off day or arrived, say at 8pm and would not be rested for service until he had already started his off day. We provided proof that crews were being held and incurring held away from home terminal which definitely was not the intention of the organization with this agreement. Labor relations agreed and responded they would correct with CMC and the division so everyone would be on the same page. This continues to be a problem as engineers are being held and no train is available on their rest and arriving on their 7<sup>th</sup> day or first off day and being held also.

When this occurs we need you to document date, time, chief or caller who denied you to turn back to observe your scheduled off days and leave it in union office.

Submit a penalty claim as outlined below

Code: TA

Amount: basic trip rate for run you were on.

Text:

I was denied to turn back to my home terminal by \_\_\_\_\_ at 00:30 when I arrived at the away from home terminal, Spartanburg, sc on my off day. I called chief dispatcher \_\_\_\_\_ when I reported for work on my 6<sup>th</sup> day as instructed but was told I had to take rest. I was held \_\_\_ hours and worked back on t-100-01. Allow trip rate amount claimed per self supporting pool agreement paragraphs F,G,H.

Self supporting pool agreement paragraphs for reference

F. Any Engineer who arrives at the away from home terminal on the 7<sup>th</sup> day will deadhead to the home terminal in combination service.

G. Engineers who arrive at the away from home terminal on the sixth (6<sup>th</sup>) day will contact CMC prior to tying up. CMC will either:

1. Place the Engineer first out behind an Engineer with the same set of rest days;
- or,
2. Deadhead the Engineer to the home terminal in combined service.

Note: The application of this provision will not constitute a run-around claim but is intended, if possible, **to avoid working Engineers home on the seventh day.**( emphasis mine )

H. Engineers arriving back at the home terminal after 0001 on the seventh day will begin their rest cycle in accordance with the RSIA commencing with their off duty time, with a minimum of forty eight (48) hours.