

## **ARTICLE 9 - CONSIST OF YARD CREWS**

### **Section 1**

The consist of yard crews, including Outer Belt Transfer Assignments, except as otherwise provided for in this Agreement, shall not be less than a Yard Foreman/Foreman and two Yard Helpers.

## **ARTICLE 9 - CONSIST OF YARD CREWS (Continued)**

### **Section 2**

- A. In the event a shortage of Protected Employees occurs on a seniority district, the Carrier may establish sufficient regularly assigned Reduced Crews in that seniority district in order to better utilize Protected Employees and meet the requirements of the service.

**NOTE:** The Carrier shall have the prerogative of selecting yard crews, including Outer Belt Transfer Assignments, for the purpose of establishing regularly assigned Reduced Crews pursuant to the provisions as set forth in Section 2 A. herein.

- B. In the event all yard crews, including Outer Belt Transfer Assignments on a seniority district are operating as Reduced Crews, the Carrier may then establish regularly assigned Foreman Only Crews in that seniority district in order to better utilize Protected Employees and meet the requirements of the service.

**NOTE 1:** The Carrier shall have the prerogative of selecting yard crews, including Outer Belt Transfer Assignments, for the purpose of establishing regularly assigned Foreman Only crews pursuant to the provisions as set forth in Section 2 B. herein.

**NOTE 2:** All Hump Assignments at any yard shall operate with not less than one (1) Yard Foreman/Foreman and one (1) Yard Helper.

- C. In the event Foreman Only Crews are being operated on a seniority district and a surplus of Protected Employees and/or Limited Rights Protected Employees develops, the Carrier shall establish a sufficient number of regularly assigned Reduced Crews in that seniority district in order to ensure that all Protected Employees and/or Limited Rights Protected Employees remain in active service in that seniority district.

**NOTE:** The Carrier shall have the prerogative of selecting yard crews, including Outer Belt Transfer Assignments, for the purpose of establishing regularly assigned Reduced Crews pursuant to the provisions as set forth in Section 2 C. herein.

- D. In the event regular yard crews, including Outer Belt Transfer Assignments, are operating as Reduced Crews on a seniority district and a surplus of Protected Employees develops, the Carrier shall establish a sufficient number of regularly assigned Standard Crews in that district in order to ensure that all Protected Employees remain in active service in that seniority district.

**NOTE 1:** The Carrier shall advertise Voluntary Reserve Board Positions in accordance with the provisions contained in ARTICLE 19 prior to implementing the provisions of ARTICLE 9, Section 2 D. as contained herein.

**NOTE 2:** In the event an insufficient number of Yardmen apply for Voluntary Reserve Board Positions, the Carrier shall have the prerogative of selecting yard crews, including Outer Belt Transfer Assignments, for the purpose of establishing regularly assigned Standard Crews pursuant to the provisions as set forth in Section 2 D. herein.

### **Section 3**

- A. In the event extra yard crews, including extra Outer Belt Transfer Assignments, are called from an extra board at any of the various seniority districts and there are Protected Employees furloughed on that seniority district, the Carrier shall call extra yard crews, including extra Outer Belt Transfer Assignments as Standard Crews.

## **ARTICLE 9 - CONSIST OF YARD CREWS (Continued)**

- B.** In the event extra yard crews, excluding extra Outer Belt Transfer Assignments, are called from an extra board at any one of the various seniority districts and there are Limited Rights Protected Employees furloughed at that seniority district, the Carrier shall call extra yard crews, excluding extra Outer Belt Transfer Assignments as Reduced Crews.
- C.** In the event extra yard crews, including extra Outer Belt Transfer Assignments, are called from a extra board at any of the various seniority districts and there are no Protected Employees or Limited Rights Protected Employees furloughed at that seniority district, the crew consist of such extra yard crews, including extra Outer Belt Transfer Assignments shall be at the discretion of the Carrier except as provided for in NOTE 1, NOTE 2, and NOTE 3 as contained in ARTICLE 9, Section 3 herein.

**NOTE 1:** The Carrier shall not call extra yard crews, including extra Outer Belt Transfer Assignments from the extra board as Standard Crews unless there are Standard Crews operating as regularly assigned yard crews, including regularly assigned Outer Belt Transfer Assignments on that seniority district.

**NOTE 2:** The Carrier shall advertise Voluntary Reserve Board Positions in accordance with the provisions contained in ARTICLE 19 prior to calling extra yard crews, including extra Outer Belt Transfer Assignments from the extra board as Standard Crews.

**NOTE 3:** In the event an insufficient number of Yardmen apply for Voluntary Reserve Board Positions to enable the Carrier to continue to operate Reduced Crews and/or Foreman Only Assignments, the Carrier shall have the prerogative of selecting extra yard crews, including extra Outer Belt Transfer Assignments, for the purpose of operating such extra crews as Standard Crews pursuant to the provisions as set forth in Section 3 C. herein.

### **Section 4**

Yardmen shall not be required to operate with less than the required crew consist specified in this Agreement, nor shall they be censured or disciplined in any manner for refusal to do so.

### **Section 5**

No Carrier Official, Officer, or Supervisor, Yardmaster, Engineer, Roving Switchtender or Non-Craft Employee shall be used to supplement, supplant or substitute in the work of any train or yard crew working under UTU(y) Agreements.

### **Section 6**

The Carrier shall maintain through recall of furloughed Yardmen, recall of Yardmen on Voluntary Reserve Board Positions, and/or hiring of new employees, a sufficient number of regular and extra Yardmen to permit reasonable lay-off privileges and to protect vacancies, vacations, extra assignments and other extended vacancies.

### **Section 7**

- A.** Yardmen vacancies (both regular and extra) in each seniority district shall be filled in accordance with the rules and/or practices in effect prior to this Agreement as such applies to each seniority district, except as otherwise provided for in this Agreement.
- B.** Extra Boards in each seniority district shall be regulated in accordance with the respective individual schedule agreements for that district, except as otherwise provided for in this Agreement.