

ARTICLE V (BLE)

Final Terminal Delay, Freight Service

Section 3 - Payment Computation

"All final terminal delay, computed as provided for in this Article, shall be paid for, on the minute basis, at one-eighth (1/8th) of the basic daily rate in effect as of June 30, 1986, according to class of service and engine used, in addition to full mileage of the trip, with the understanding that the actual time consumed in the performance of service in the final terminal for which an arbitrary allowance of any kind is paid shall be deducted from the final terminal time under this Article. The rate of pay for final terminal delay allowance shall not be subject to increases of any kind.

After road overtime commences, final terminal delay shall not apply and road overtime shall be paid until finally relieved from duty.

NOTE: The phrase "relieved from duty" as used in this Article includes time required to make inspection, complete all necessary reports and/or register off duty."

Q-1: Train (A) arrived at the point where computation of final terminal delay time commenced at 9:00 p.m. Road overtime commenced at 10:10 p.m. and the crew was relieved from duty at 10:30 p.m. Under these circumstances, would 10 minutes final terminal delay and 20 minutes road overtime be the proper payment?

A-1: Yes.

\* \* \* \* \*

Q-2: When a crew commences final terminal delay and then overtime becomes applicable, is the mileage stopped when the final terminal delay payments stop or does it continue while overtime is applicable?

A-2: Article V does not change existing agreements on the payment of mileage. Mileage does not stop when pay for final terminal delay stops due to the overtime threshold being reached; however, overtime does not start until the time on duty exceeds the miles run divided by the appropriate overtime divisor.

\* \* \* \* \*

EXAMPLES OF APPLICATION OF DEADHEAD RULE, ARTICLE VI \*

The following examples illustrate application of the rule to all employees regardless of when their seniority date in engine service was established, except where specifically stated otherwise:

1. What payment would be due an engineer who performed road service from A, the home terminal, to B, the away-from-home terminal, a distance of 170 miles, and deadheaded from B to A, with the service and deadhead combined between A-B-A?
  - A. A minimum day and 70 over-miles for the service and a minimum day and 70 over-miles for the deadhead.
2. What would be the payment under Question 1 if the distance between A and B were 75 miles?
  - A. A minimum day and 50 over-miles.
3. What payment would be due an engineer who performed road service from A to B, a distance of 170 miles, taking rest at B, and then being deadheaded separate and apart from service from B to A, with the deadhead consuming 8 hours?
  - A. A minimum day and 70 over-miles for the service trip from A to B, and a minimum day at the basic rate applicable to the class of service in connection with which the deadheading is performed.
4. What payment would be due an engineer who performed road service from A to B, a distance of 170 miles, taking rest at B, and then deadheading separately from service B to A, with the deadhead being completed in 10 hours?
  - A. He would be paid a minimum day and 70 over-miles for the service trip from A to B, and 10 hours straight time rate of pay at the basic rate applicable to the class of service in connection with which the deadheading is performed.
5. An engineer operates a train from his home terminal, point A, to the away-from-home terminal, point B, a distance of 170 miles. Upon arrival at the away-from-home terminal, he is ordered to deadhead, separate and apart from service, to the home terminal. The time deadheading is 5 hours. What payment is due?
  - A. A minimum day plus 70 over-miles for service. A minimum day for deadhead if employees' seniority in engine or train service antedates November 1, 1985; otherwise, 5 hours.

- 3 -

The following examples illustrate the application of the rule to employees whose earliest seniority date in engine or train service is established on or after November 1, 1985:

1. An engineer is called to deadhead from his home terminal to an away-from-home point. He last performed service 30 hours prior to commencing the deadhead trip. The deadhead trip consumed 5 hours and was not combined with the service trip. The service trip out of the away-from-home terminal began within 6 hours from the time the deadhead trip was completed. What payment is due?
  - A. 5 hours at the straight time rate.
2. What payment would have been made to the engineer in example 1 if the service trip out of the away-from-home terminal had begun 17 hours after the time the deadhead trip ended, and the held-away rule was not applicable?
  - A. A minimum day for the deadhead.
3. What payment would have been made to the engineer in example 1 if the service trip out of the away-from-home terminal had begun 18 hours after the time the deadhead trip ended, and the engineer received 2 hours pay under the held-away rule?
  - A. 6 hours at the straight time rate.
4. An engineer is deadheaded to the home terminal after having performed service into the away-from-home terminal. The deadhead trip, which consumed 5 hours and was not combined with the service trip, commenced 8 hours after the service trip ended. What payment is due?
  - A. 5 hours at the straight time rate.
5. What payment would have been made to the engineer in example 4 if the deadhead trip had begun 18 hours after the service trip ended and the held-away rule was not applicable.
  - A. A minimum day for the deadhead.
6. What payment would have been made to the engineer in example 4 if the deadhead trip had begun 18 hours after the time the service trip ended and the engineer received 2 hours pay under the held-away rule?
  - A. 6 hours at the straight time rate.