

Crew Caller/ Local 60 Member Q & A

1) Rule 3 - Overtime

- a) **Q-** What is work week for starts for employees on the extra board?
- **A-** Monday through Sunday
- b) **Q-** What is work week for starts for employees on regular assigned jobs?
- **A-**The first five days of assignment followed by two relief days
- c) **Q-** When does an employee receive overtime?
- **A-** (Extra) On any day after fifth start of week, a start is anything your compensated for (vacation, sick, personal, BOR, called not used {*exception is if it's your only compensation for the day, the called not used, will count as one start, if you also work within the same day, it will only be counted as one as well*})
 - **A-** (Regular) On any day after fifth start of week, in order to be eligible for overtime on your relief day you must work your five prior scheduled days, if you take one day off (uncompensated) during week you will be eligible for overtime on your second relief day, but only if you work both relief days.
- d) **Q-** What can an employee be cut for overtime
- **A-** (Regular passenger assignments) can be cut for a break of fifteen minutes or more with a maximum cut of *twenty (20)* for any assignment over eight hours
 - **A-** (Other than passenger assignments) can not be cut overtime for any time held over eight hours
- e) **Q-** Where can an employee be cut overtime
- **A-** The agreement is that any terminal that has "Lockers, toilet and lavatory facilities will be provided and maintained" At these locations you can be cut allowing for the contractually agreed upon on duty and off duty times.
- f) **Q-** Where can I be given FRA permissible rest
- **A-** The only locations that an employee can be given a break of four hours or more to satisfy federal HOS regulations are New York and Hoboken. The exception is some assignments are "reverse terminal" (they would take rest at their sign-up location) where an arbitrary payment of thirty minutes is provided in lieu of providing transportation to a rest facility
- g) **Q-** If an employee exercises seniority or is forced assigned an assignment that will cause a situation where they would have more than five starts for the week would they be eligible for overtime?
- **A-**No

2) Rule 7 - Holiday

- a) **Q-** How are you paid for a holiday (eight-hour bonus day)
- **A-** You must work the day before and the day after the holiday, a relief day, vacation day, personal day, or optional day will extend the bridge (you still must work the day before and after these days) but not protect. Sick day will not bridge or protect a holiday

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3) Rule 10 - Sick Benefits

a) Q-How are sick days paid?

➤ A- Sick days will be paid automatically for the first five annually for every day you are marked off "sick" if you are using days from your PTO bank (carried over from previous years) you must submit a time-card for those days

4) Rule 16 - Bulletins and Assignments

a) Q- When are jobs advertised, when do I have to bid assignments in by and when are awards effective?

➤ A- Assignments will "**advertised every Friday. The advertising period will close 11:59PM the following Tuesday**" Bulletins will be out anytime on Friday and bids must be received by 11:59 on Tuesday, awards are effective 12:01 am Sunday b) Q- When

will vacant assignments be advertised?

➤ A- **Known** vacancies will be advertised in the next bulletin, (examples include retirement, dismissal, death), unknown vacancies (examples include special duty, management positions, transfers, note employees can return from these at any time) must go thirty days before advertisement

c) Q- Can you bid in the assignment you just vacated?

➤ A- No, unless you're displaced from the assignment you were awarded

d) Q- When must an assignment be re-advertised?

➤ A- When any of the following happens, changing the designated on and off duty point, layover or turnaround point, or any train of the assignment. Changing advertised starting time or arrival time of the assignment by **30** minutes or more. Changing the assigned rest days.

➤ A- Employees who own a changed assignment will be given a pick upon the effective time of change

e) Q- When will employees be notified of displacement off regular assignments or *temporary vacancies*?

➤ A- Immediately, but no less than five hours before sign-up if employee arrives at location and was not notified, they are due earnings of their assignment

f) Q-When is rollover?

➤ A- Rollover will take place in the Spring and Fall. The Carrier will notify the General Chairman of SMART-TD at least 30 days in advance of the effective date of the optional displacement. Employees will have at least two (2) weeks' notice to apply for the optional displacement through the established bulletins. *Members that are displaced on the Sunday of the optional displacement, will only receive 24 hours to make their pick.*

g) Q- When must I bid my own assignment if it is advertised for a change (trains, time,

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holidays, etc.)?

➤ **A- All regular weeks.** You will be notified by the crew-callers and asked if you are electing to remain on the assignment, if yes, you are automatic bidder and no bid is necessary, you will remain on assignment unless a senior employee bids it in. If you are outbid, you will given a pick. *If you do not respond to the crew caller when attempted, you will not be the automatic bidder.*

➤ **A- Rollover weeks.** You must bid in any assignment that is advertised you are not the automatic bidder, nor will crew-caller notify you of change in assignment. h) **Q-** What happens when I'm displaced, (bumped, have a pick)

➤ **A-** Effective the time notified

(1) You may make a permanent displacement within 48 hours of being notified.

(2) You may take a "temporary" pick to a vacant assignment for 48 hours. You must then make a "permanent" pick to an assignment prior to the end of the 48 hours of being notified.

(3) If you are displaced on a Wednesday, Thursday or Friday, you may take a "temporary" on a vacant assignment within 24 hours of notification, but then must make a "permanent" pick by 12 Noon, Sunday.

(4) *Members on the extra list will be able to take a temporary vacancy after 8:00 pm Sunday as long as the assignment doesn't sign up before 5:01 am Monday.*

i) **Q-** What if an assignment is **advertised and awarded** while I am off work (vacation, sickness, personal, OOS, etc.)

➤ **A-** You may exercise your seniority on that assignment, provided you do so prior to performing service

j) **Q-**What happens when there is a conductor assignment advertised and there are no bidders?

➤ **A-** A junior promoted conductor, not working as a conductor, on that **division** will be force assigned

k) **Q-** What happens when there is an assistant conductor or ticket collector assignment is advertised and there are no bidders?

➤ **A-** A the junior qualified employee on an extra list **within that division** will be force assigned

l) **Q-** What can I do to get released from the assignment I'm force assigned to? ➤ **A-** A

conductor can bid for any other **conductor** position, or if a junior promoted conductor becomes available who is not working as a conductor on that **division**, the employee can pick off on them, that junior employee would then revert to the assignment that was force assigned, the person who picks off will revert to their previous position unless filled by advertisement, if so they will be given a pick. ➤ **A-** A **Assistant conductor or ticket collector** can bid for **any other** vacant position, or if a junior promoted assistant

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conductor becomes available on an extra board within that division, the employee can pick off on them, that junior employee would then revert to the assignment that was

force assigned, the person who picks off will revert to their previous position unless filled by advertisement, if so they will be given a pick.

m) **Q-** When is the latest I can bump an assignment?

➤ **A-** Five hours before sign-up time

n) **Q-** What happens if you do not exercise your seniority within forty-eight hours of being notified you have been displaced

➤ **A-** *You will be placed on the extra board that protects the assignment you were displaced from, if you do not have adequate seniority to hold that list you will be placed on the next nearest extra list that your seniority dictates you can own.*

o) **Q-** When will an extra assignment be advertised?

➤ **A-** *"An extra assignment that has been ordered at least five (5) consecutive days within a seven (7) day period (beginning with the first day worked) will be advertised on the next regular bulletin."* If an assignment changes either in time, location or assigned deadhead trains it will be considered a new assignment

5) Rule 18 - Annulment of Assignments

a) **Q-** My assignment has been annulled for one day or more, what are my options? ➤ **A** You may elect to stay on your assignment, you can use PTO balance for days lost, or you will be given a pick, the difference in this situation is you must exercise your seniority in **eight** hours from notification or from the completion of your assignment if you elect to vacate the assignment.

6) Rule 19- Deadhead

a) **Q-** When am I entitled to deadhead and mileage?

➤ **A-** Whenever you are called for an assignment outside the location where the extra list you are holding is established, or any of the locations that list does not protect. Reference the calling order, anywhere outside location your board protects

b) **Q-** Am I entitled to deadhead and mileage from the supplemental list? ➤ **A-** Yes to all locations exempt where supplemental list is established and your home terminal c) **Q-** Am I entitled to deadhead and mileage if called while on vacation or in pick position? ➤ **A-** Yes, and deadhead shall be based upon the location of the supplemental extra list for which the person is called. See Q&A #86

7) Rule 20 Extra Board.

a) **Q-** What is the calling time for an assignment?

➤ **A-** Call time starts four hours and fifteen minutes (4'15") prior and no later than three hours and forty-five minutes (3'45") EXAMPLE; BH-10 signs up at 5:07PM call time will start at 12:52PM and end at 1:22PM

b) **Q-** What is my allowable travel (deadhead) time?

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- **A-** You can take a reasonable amount per the FRA of travel time from your residence to sign-up location not exceeding the maximum published deadhead times.
- c) **Q-** How will I be marked up?
 - **A-** Regular passenger assignments will be marked up automatically, if you experience delays or off duty time will not match system you must call crew dispatcher and confirm the correct off duty time.
 - **A-** Extra assignments must call with off duty time no later than three hours upon completion of the assignment not including deadhead, or will be placed on board at the time they call crew dispatchers.
- d) **Q-** What happens when I do not take a call for an assignment that my extra board protects or refuse an assignment when I am speaking with a crew dispatcher? ➤ **A-** You are held off of the board for sixteen hours from the call time, you are not afforded any opportunities from the extra board (assignment information, vacant assignments, extra bumps etc.) until the end of that period. *This will negate the availability of an optional for you till next week*
- e) **Q-** What extra board protects what terminals?
 - **A-** There is a calling order list agreed upon by the carrier and organization available from your union (also posted on website) and the callers
- f) **Q-** Does an employee who does not answer phone for an assignment that their list (see calling order) does not protect lose their standing on list?
 - **A-No**
- g) **Q-** If an employee answers phone must they take all assignments?
 - **A-Yes**
- h) **Q-** If an employee initiates call to the crew dispatcher within call time for an assignment their extra board does **not** protect, must they take the assignment
 - **A-No**
- i) **Q-** How will it be determined when an extra employee misses a call? ➤ **A-**When an employee's primary telephone number is not answered upon a proper call from the Crew Caller's office, they will be dropped immediately. If the employee's primary telephone number is an answering machine and/or beeper, the employee will be dropped if he/she does not respond within 5 minutes of the call. j) **Q-** What information will the crew caller leave on voicemail when calling for an assignment?
 - **A-** If the assignment **is** protected by your extra board CC's are instructed to call once and say on voicemail "we have assignment" second time "we have assignment" third time if job is for your board and you will be dropped, they will say "we have assignment and you will be dropped" you must call back immediately
 - **A-** If the assignment **is NOT** protected by your extra board the CC's are instructed to call once and give assignment number (this includes CO, AC or TC information) they are calling for, you must call back immediately because callers are required to move

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on to next available employee

- k) **Q-** If an employee responds to the crew dispatcher's voicemail message for an assignment their extra board does not protect, must they take the assignment? ➤
A- Yes, provided the crew dispatcher clearly stated the job symbol number in the voicemail message and the first employee called respond within 5 minutes of the call. l)

Q- If an employee responds to a voicemail message left by the crew dispatcher for an assignment their extra board does not protect, and the crew dispatcher did NOT state the job symbol number in the voicemail message, must the employee take the assignment. ➤ **A-** No.

- m) **Q-** What information is the caller required to give me when called for an assignment?

➤ The Caller will give the following information:

(1) The assignment i.e. number or symbol

(2) The reporting time.

(3) The terminal to which the employee is to report to

(4) The type of service that will be worked, i.e. a) passenger service, b) extra service, c) pilot conductor, d) flagman for contractor, etc.

(5) All the trains to be worked on a regular or extra passenger assignment, or employees may be called to stand by.

- n) **Q-** Will I be required to stay on an assignment for longer than one day? ➤ **A-** Yes, if your extra board protects that assignment, then you will be given the assignment "further notice" you will have to remain on that assignment until the relief days of the assignment, or it is taken as temporary vacancy bump by another employee. During this time, you will only be paid full one-way deadhead for the first and last days of the assignment, mileage will be paid daily. If another employee is given the assignment prior to you (first on) and vacates the assignment (between the relief days) they would get the deadhead payment for the first day and the employee who finished the work week (last off) would get the second payment.

➤ **A-** No if your extra board does not protect the assignment you will work it one day only, and will be paid full round-trip deadhead and mileage

- o) **Q-** When can I apply for a temporary vacancy (extra bump)

➤ **A-** You can take a temporary vacancy for a vacation, an advertised assignment or an assignment that has been vacant for five days or more, (when counting the days you can count the relief days if they are within the time of the incumbent last worked or if it was called prior to established relief days for an extra assignment) EX; If Tom owns D0-59 relief days are S & S, he marks off Thursday then you would count Thursday as day one, the assignment would be good for a bump on the following

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Tuesday day six, If he worked Friday and was to mark off on Monday then Monday would be day one and the assignment would not be eligible for a bump till the following Monday day eight. The same would apply to an assignment called extra (flag, extra service, or an extra passenger assignment). If you assume the relief days you will not be entitled to an optional for that week.

➤ **A-** You can bump an assignment between twenty-four hours and five hours before sign-up time only.

p) Q- When will you be released when you make application to a temporary vacancy (extra bump)?

➤ **A-** A vacation bump you will be released when the vacation is scheduled to end that would be at 12:01 am on Mondays (you are not allowed to make application to another vacancy unless it signs up after 5:00 am)

➤ **A-** An assignment that is advertised (vacancy) 12:01am Sunday, you must be notified assignment was awarded if not notified you will be marked up when you call after award takes affect *"The extra person will be placed on the list at the time notified, but not earlier than the effective time and date of the award."*

➤ **A-** A vacancy of five days or more, when the owner resumes, when assignment is advertised and awarded, assignment is canceled or when you are displaced by a senior employee.

q) Q- Can I stay on a temporary bump if awarded an assignment?

➤ **A-** Yes, if you are occupying a temporary vacancy and are awarded an assignment you can elect to remain on that assignment and must vacate the vacancy within five (5) calendar days and work the permanent assignment. Employees must notify the crew caller not less than five hours in advance of the reporting time of the assignment that they will want to remain on.

r) Q- What can I use voicemail for

➤ **A-** Marking back up to all Extra Lists, requesting a single vacation day or personal leave day, requesting an optional day, making yourself available for relief day work, and marking off for a Rules Class or company hearing. All other mark offs will not be accepted.

➤ **A-** If you are unable to reach a caller for any other needs, leave a message detailing the issue and ask for a call back

s) Q- What circumstances require ten hours rest as per the FRA?

➤ **A-** If you work an assignment that the total time on duty exceeds twelve hours on duty, without a break in service of over four hours, you are required to take ten

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hours rest between assignments rather than the standard eight. When calculating TTOD you can **NOT** count the travel/deadhead/limbo time returning to your on-duty point, only your travel time/deadhead going to assignment will apply. This only applies to covered service, non-covered service will require eight hours rest between assignments. See rule 25 below.

t) **Q-** Can you work over twelve hours?

➤ **A-** No, unless you are given a break in service of over four hours at an agreed upon rest facility. An exception would be if you are performing non-covered service and you contact a supervisor prior to going over and discuss the length of time going over and any other implications this will have on you and the safety of your fellow employees or contractors.

u) **Q-** When is it required that I mark up with Crew Dispatchers and what are time limits? ➤

A- You must call the caller and mark up when you work any assignment that is not "regular", so any job called as an extra, also when you are delayed on a regular assignment you must call with a revised off duty time. You are required to mark up immediately Per Rule 20(b): "All extra employees upon the completion of their tour of duty must immediately notify the Crew Dispatcher of their off-duty time". When you do not contact the callers within three hours you will placed on the board at the time you called not the off duty time of your assignment.

8) Rule 22 Reporting Off Duty With Permission

a) **Q-** How long must an extra employee who marks off (Vacation day, Personal day, sick day, optional day, personal business) stay off?

➤ **A-** 12 hours

b) **Q-** How long must a regular assigned employee who marks off (even if in middle of assignment) stay off?

➤ **A-** Employee can resume for next tour of duty

9) Rule 23 Calls

a) **Q-** What is a called not used?

➤ **A-** If you are called for an assignment and are not called before leaving your regular calling place, do not perform service, and are released before two hours, you are entitled to a four-hour called not used payment (031) and will remain at your same position on the extra board **REMINDER** this would fall under comingled service your on duty time for any subsequent assignment would begin at your initial on duty time **EX;** Dave is on NY extra board, is called for MV-05 on duty at 4:21AM (he claims one hour DH and as per HOS he's on duty at 3:21AM) when he arrives the regular owner of the assignment is there, he is sent home as "called not used" is paid four hours, three hours and twenty minutes deadhead, and retains his position on the board. He is then called for NY-30 at 7:17AM his on duty for HOS is 3:21AM, NY-30's last train

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arrives in NY at 3:34PM Dave would not be able to complete this assignment.

- **A-** If you are held for over two hours you are due a basic day of eight hours and will be placed on the extra board at your released time and will require 8 hours rest or it will be considered comingled service for HOS

See above example for comingled service

b) **Q-** What is the 011 payment?

- **A-** If you are used for anything after “earned compensation for the entire day or after completion of running the last train of his or her assignment” you are due time and a half (even if your assignment is under eight hours) with a minimum of two hours for additional train movements. This also includes a random drug and alcohol test see Q & A 33B

c) **Q-** What is the Rule 23 Q & A 101 payment?

- **A-** If you are asked to perform service and do so prior to your sign-up time and then revert to your regular assignment you are due an eight payment

10) Rule 25 - Hours of service

a) **Q-** Can an employee have more than one home terminal?

- **A-** No regardless if you make temporary application to the supplemental list you are required by the HOS regulation to calculate travel time between your home terminal and ALL other reporting points as total time on duty (reminder this is different than contractual deadhead compensation)

b) **Q-** When marking up after working an assignment over twelve hours without a break of four hours or more what information am I required to give

- **A-** Before any additional information is provided you must inform the caller whether you require eight- or ten-hours rest and that can not change for that date

