**RULE 54-**

**HANDLING OF ENGINE FOREMEN**

**(a)** Retention Separate Date: Yardmen promoted to engine foremen prior to May 1, 1945 will retain separate rights as engine foremen until such time as they may relinquish such right through the application of paragraph (b) of this rule.

Subsequent to May 1, 1945 all yard helpers establish rights as engine foremen concurrent with their helpers' rights.

Prior right engine foremen will have choice of engine foremen's jobs and, except as hereinafter provided, remaining foremen positions will be assigned to the senior helper applicant.

**(b)** Prior right engine foremen, who have a displacement right, may exercise their seniority rights in road service as brakemen. Such prior right engine foremen may also apply for all new and vacant positions bulletined for brakemen in road service and shall be subject to the provisions of Rule 33. All established prior rights to service as an engine foreman shall be retained.

**(c)** Prior right engine foremen who voluntarily relinquish their rights as engine foremen and exercise seniority rights, as yard helpers shall forfeit all prior rights established as an engine foreman.

**(d)**  Filling Foremen Job Regular Crew: When a regularly assigned engine foreman is not available for his run, the position will be filled by senior regular helper on crew if competent. If neither regular helper is competent, the vacancy will be filled by first‑out competent man on the extra board, but if two or more yardmen are called for the crew, the senior competent man will be used. Extra men not called in turn, due to not being qualified to act as engine foreman, will hold their place on the extra board and no runarounds are involved, provided, however, that on rotating boards competent extra men who have acted as foremen in such yards and decline to accept call as foremen will be dropped to foot of the extra board.

**(e)** Filling Foreman's Job Extra Crew: When an extra yard engine is placed in service, crew will be made up from extraboard, and the position of engine foreman will be filled by senior first‑out competent man on the extra list. Extra men not called in turn, due to not being qualified to act as engine foreman, will hold their place on the extra board, and no runarounds are involved, provided, however, that on rotating boards, competent extra men who have acted as foremen in such yards, and decline to accept call as foremen, will be dropped to the foot of the extra board.

**(f)** Emergency Extra Foreman Rule: For the purpose of providing engine foremen to fill vacancies under circumstances where

there are no competent helpers on the crew or on the extra board, a vacancy will be filled as follows:

**First**: By using the senior competent helper going to work at the same time on the shift. When so used, he will be paid at the foreman's rate at straight time for the regular eight‑hour period, and time and one‑half only for the actual overtime worked.

**Second:** If no such competent helper available, use the senior competent helper going to work at an earlier time on the sane shift. When so used, he will be paid at straight time rate as though he started at the starting time of his regular assignment, at the foreman's rate, overtime to start after expiration of eight hours from his regular assigned starting time.

**Third:** If still no competent helper available, use senior competent helper going to work at a later time on the same shift. When so used, he will be paid one day at time and one‑half for service in advance of regular starting time, plus a new day to commence at regular starting time.

**Fourth:** If there are not enough such competent helpers available on shift to fill remaining vacancies on that shift, by using the senior available regularly assigned competent yardman (foreman or helper) who Is observing his designated "days off.'' When so used, he will be paid in accordance with Section B of Article 3 of the Five‑Day Work Week Agreement.

**(g)** When a foreman is taken or relieved from his crew during a shift for any reason the senior helper on the crew will be used as foreman and shall be paid the foreman's rate for the entire shift and the extra man called shall be used as helper.

If other than the senior helper on the crew is used, both the helper used and the senior helper who should have been used will be paid for the entire shift at the foreman's rate.

Except as outlined in paragraph (h) hereof, under no circumstances shall a helper used as both a foreman and a helper on the same assignment during one tour of duty be entitled to a day's pay as a foreman and a day's pay as a helper

**(h)** If a helper is removed from the crew to which he is assigned or for which he has been called as a helper and, after actually performing service on such assignment as a helper and is then used with an entirely different crew as a foreman, the helper so used wi1l be paid one day's pay as a helper and one day's pay as a foreman, having been used with two separate crews in one tour of duty.

**(i)** An employee who has six months' seniority as a brakeman/yardman and who has worked not less than ninety shifts\* as a yard helper In the particular seniority district where he holds seniority, shall be considered as "qualified" and "competent" to act as an engine foreman and such employee must protect service as engine foreman, including service on his own assignment as engine foreman.

**\*NOTE:** At Albina and Argo a brakeman/yardman may be required to work not less than one hundred twenty shifts as a helper before being considered "qualified" and "competent'' to act as an engine foreman.

**(j)** An employee who has six months' seniority as a brakeman/yardman and who has worked not less than ninety shifts (one hundred twenty shifts at Albina and Argo) as helper will not be permitted to voluntarily declare himself as "Incompetent" or ''unqualified" to work as engine foreman unless mutually agreed upon between the General Chairman and the Director of Labor Relations.

A yardman/brakeman may be considered qualified for position of foreman by the Company at its discretion after working a lesser number of shifts than as prescribed in paragraph. (i) of this rule.

**(k)** A road service employee moving into yard service who has not worked as yardman for five years or more will be permitted to work no more than fifteen shifts as yard helper, after which he shall be considered qualified and competent to act as engine foreman.

**(l)** Demotions Limited: An engine foreman demoted as a result of disciplinary action under Rule 74 or who is charged with inefficient performance of his duties, and admits his inefficiency, in either case, may be demoted for a period not to exceed six months. Such engine foreman may exercise his seniority as yard helper or elect to place himself on the extra board. An employee who has been demoted under the provisions of this rule may exercise his seniority as engine foreman upon the expiration of the six months.

**(m)** Foreman's Arbitrary Hour: In yards where yardmasters are not employed, engine foreman will be paid one hour in addition to all other time made by crew of which he is foreman.