ITEM ‑ 41(r)

MODIFICATION OF RULE 41

It is agreed that the provisions of Rule 41 of the current agreement between the Order of Railway Conductors and Brakemen and Brotherhood of Railroad Trainmen and Union Pacific Railroad Company ‑Eastern District, effective November 1, 1957, are hereby modified with respect to its application to the Denver‑Laramie freight pool, Wyoming Division, to the extent herein provided:

1. Pool freight crews who are runaround by other pool freight crews in Denver yard, or en­route between Denver and Laramie, will upon arri­val at Laramie be given the same relative position on the list at Laramie that they held prior to leaving Denver, except that crews with less time to work than required by Rules 42(a) and (b) of current schedule, or who become first out before having required rest, shall stand first out after rest period and upon arrival at Denver shall be given same relative position on board as was held prior to leaving Denver on last trip.

2. Pool freight crews who are runaround by other pool freight crews in Laramie yard, or en route between Laramie and Denver, will upon arri­val at Denver be given the same relative position on the list at Denver that they held prior to leaving Laramie on last trip, except as provided in Section 1.

3. Crews earning 200 miles or more on any one wat trip, either out of Denver or Laramie, will take their turn as per their arrival at either terminal.

4. Crews requesting rest in accordance with Rule 71 will retain their position on the blue print board. In the event they become first out before their rest period is up and other crews run around them they will establish a new position on the board as of the time they are called.

5. Crews that double out of far terminal and are relieved enroute due to insufficient time will be given same relative position on list at home terminal as held prior to departure from far terminal.

6. Pool freight crews tying up between terminals, and receiving legal rest, will take new position on board as per arrival at such terminal.

7. Crews added to pool in accordance with Schedule Rule 38 will not be considered as runaround when other pool crews arriving at Denver after 8:00 A.M. are placed ahead of them under the provisions of this agreement,

8. Upon arrival at Laramie or Denver, train­men who have been runaround, as indicated in Paragraphs 1 and 2, will notify proper officer as to their standing on the list at Laramie or Denver. The company will not be subjected to penalty pay­ments because trainmen fail to furnish information, or furnish incorrect information. This does not, however, estop the management from taking discipli­nary action when it is developed the employee have furnished incorrect information, and no runarounds will be claimed because crews did not depart in their first‑in, first‑out order at Laramie or Denver.

9. This agreement is effective September 1, 1959, and will automatically terminate ten (10) days after service of written notice by any party upon the others of desire to terminate it, at which time the schedule rules affected by this agreement will be in full force and effect.

Dated at Omaha, Nebraska, this 12th day of August, 1959.