ITEM 92(a-9)

June 2, 1978

E-013-23-95-10

Mr. R. B. Murdock
General Chairman, UTU(C)&(T)
206 Farm Credit Building
Omaha, Nebraska 68102

Dear Sir:

This refers to your request for an interpretation of agreement dated December 22, 1975 about yardmen forced out of the yard to work as a conductor, which was discussed with you in conference on May 31, 1978.

For ready reference, agreement of December 22, 1975 reads:

"This refers to your letter of November 17, 1975 requesting our concurrence in the following:

'When a yardman is forced out of the yard to protect a regular conductor's job in road service when he is cut from conductor's job or by a schedule agreement he no longer holds a conductor's job, he will be allowed the option of staying on road roster, seniority permitting, as a brakeman, or returning to yard roster.'

"We have no objection to this with the added proviso that if such employe exercises this option and remains in road service, such employe will remain in road service for a period of four months unless road rights are exhausted prior to that time."

It is agreed that the words "seniority permitting" as they appear in the sub-quote above are interpreted as meaning that if there is no junior man in road service, the forced conductor must return to the yard. If there is a junior man in road service, the forced conductor has the option of remaining on the road or returning to the yard.

This agreement is effective July 1, 1978 and will be terminated by the service of a 10-day written notice by either party on the other.

Yours truly,

/s/ J. H. Kenny ACCEPTED:

/s/ R. B. Murdock

General Chairman, UTU(C)&(T)

(A-92a-9-2)