RULE 3.  OVERTIME.  (a) Except as indicated below or when changing off where it is the practice to work alternately days and nights for certain periods, working through two shifts to another, all time worked in excess of eight hours continuous service in a twenty-four hour period shall be paid for as overtime on the minute basis at one and one-half times the hourly rate.

In the application of this rule, the following shall govern:

(1)  Work performed by regular relief men on assignments which conform with the provisions of Article 3, Section 3 of Agreement :A” signed at Washington, D.C., May 25, 1951 shall be paid for at the straight time rate.

(2)  This rule applies only to service paid on an hourly or daily basis and not to service paid on mileage or road basis.

(3)  A tour of duty in road service shall not be used to require payment of such overtime rate in yard service.  (The term “road service”, as used in this paragraph (3), shall not apply to employes paid road rates, but governed by yard rules.)

(4)  Where an extra man commences work on a second shift in a twenty-four hour period he shall be paid at time and one-half for such second shift except when it is started twenty-two and one-half to twenty-four hours from the starting time of the first shift.

A twenty-four hour period, as referred to in this rule, shall be considered as commencing for the individual employe at the time he started to work in the last shift on which his basic day was paid for at the pro rata rate.

(5)  An extra man changing to a regular assignment or a regularly assigned man reverting to the extra list shall be paid at the pro rata for the first eight hours of work following such change.

(6)  Except as modified by other provisions of this rule, an extra employe working one shift in one grade of service and a second shift in another grade of service shall be paid time and one-half for the second shift, the same as though both shifts were in  the same grade of service, except where there is another man available to perform the work at pro rata rate.

NOTE (1):  Where a seniority board is in effect, in cases where there is a man or men on such board available for work at the pro rata rate, a senior man who exercises his seniority to work two shifts , the second of which would otherwise, under the provisions of this rule , be paid at the overtime rate, shall be paid at the pro rata rate.

NOTE (2): The adoption of this rule shall not affect any existing rule relating to service performed on a succeeding trick when an employe’s relief fails to report at the fixed starting time.

(b)  Overtime will be worked only in case of emergency, or in case of transfer crews or yard crews to get to regular relief points, or in yards where only one engine is employed; two hours overtime not to be exceeded when extra men are available.

NOTE: It is the intention of this rule to restrict the hours of work to the assignment, and only such occurrences as cannot be foreseen and requiring immediate attention can be considered emergencies.

(1)  Yard crews instructed prior to close of shift to perform additional switching will be paid overtime on the minute basis at rate of time and one-half.

(2)  In yards where more than one engine is employed, yard crews instructed after close of shift to perform additional switching, except in case of emergency, will be allowed a minimum yard day at rate of time and one-half.

(3)  If yard crew in a yard where more than one engine is employed is required to work in excess of two hours overtime, exclusive of time consumed in getting to relief point, the first out extra yard crew available on the extra board will be allowed a minimum yard day.

OUESTION:

What compensation should be allowed for additional service where a crew is regularly assigned to work 12 midnight to 8:00 a.m. and (service performed not affected by exceptions outlined in this rule):

(a)   Is required to cover the third shift on the same day 4:00 p.m. to 12 midnight?

(b)  Is required in an emergency to work 8:30 a.m. until 11:30 a.m.?

(c)   Is required in an emergency to work 8:00 p.m. to 12:00 midnight (4 hours) on the same day?

(d)  Is given 48 hours notice and assignment is moved up an hour, starting at 11:00 p.m. and being relieved at 7:00 a.m. and consequently in the 24-hour period works 9 hours but not more than 8 hours on a shift?

ANSWER:

(a)   Eight hours at time and one-half.

(b)  Eight hours at time and one-half.

(c)   Eight hours at time and one-half.

(d)  On account of complying with the 48-hour provision, which makes it permissible to change beginning time, crews only entitled to a minimum day.