



United Transportation Union
Local 1529
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When may trainmen on the yard extraboard quit answering their phone for call?

The following answer is in response to an e-mail question concerning our members protecting the yard extraboard...

The Question...

John,

The Gen Manager has put a end to all early quits at Toledo. As always his staff takes everything to the extreme. This brings a problem now that they work our people so close to quitting time that they make overtime and are not rest to work on short rest. **Question:** *When may trainmen on the yard extraboard quit answering their phone for call???* Many are exhausted and can't get personal days or daily vacation days and would like to use this to their advantaged to stay out of the office for absenteeism. I would like to make this respons public.

B.B. THOMAS

The Answer...

B.B.:

If I understand your question correctly, you want to know if trainmen can avoid answering the phone for a subsequent assignment because the two hour call would extend beyond their perceived "calling cycle" due to overtime made on their first assignment. However this will not work. There is no provision within the B&O Schedule Agreement that provides a "calling cycle" beyond which extra employees no longer have to answer the phone. In fact, under **Rule 100, Section 5**, employees on the extra list must be either working, on rest, or available a full 24 hours in a calendar day in order to qualify for their guarantee. Bear in mind that, once an employee has received 5 straight time starts in his work week, he should be "set over" on the extra board even if it's not his rest day yet; and be called only after all employees that do not have their 5 straight time starts are called.

For extra board employees going on rest day, there is some relief in the following **Q&A's to Rule 100, Section 5**:

Q-2: Will an extra board employee be considered available for service on the day preceding his off day if the call for duty will result in the employee going on duty on his designated off day?

A-2: No. If the employee will not be on duty, or under pay, prior to midnight on the day preceding his off day, he will not be considered available for service.

Q-38: Are employees observing off days required to be in place at call time for positions which go on duty after expiration of twenty-four hour off days?

A-38: Yes.

Q-39: Except as provided in Question and Answer 38, are employees who are observing off days required to remain in place for call?

A-39: No.

So to sum up this question...

NEVER can you decline to answer the phone and not be held culpable for absenteeism from the extra board... unless the call would result in your starting an assignment on your designated 24 hour rest day. The B&O Agreement does not provide for any "amnesty" time. I hope this answers the question you intended.... **JEL**