
RULE 9 – GUARANTEED EXTRA BOARD

- a. 1. A Passenger Engineer assigned to an extra board who is available for service during an entire weekly period or who does not lay off or miss a call will be guaranteed a money equivalent of forty (40) straight-time hours each weekly period. The term “weekly period” means a period of seven (7) consecutive days, starting with Monday.¹ The Corporation will determine the location of and the number of Passenger Engineers assigned to an extra board.

Note: Sixty (60) days after the effective date of the Agreement signed August 20, 1992, in settlement of NMB Case No. A-12290, the Auto Train extra board at Lorton, Virginia, will be discontinued and Auto Train vacancies originating out of Lorton will be protected by the Work Zone 5 engine service extra board located in Washington, D.C. Amtrak will allocate a percentage of extra board positions to Auto Train employees and will guarantee that no existing Auto Train or Work Zone 5 employee will be furloughed as a direct result of this combination of extra boards. An employee called off the Work Zone 5 extra board will be paid at the rate of the position worked and under the terms of the agreement covering the service.

Note: Certification Allowances paid in accordance with the provisions of this agreement shall not be used to offset any extra board guarantee payment required under Rule 9(a)(1).

2. All extra board positions will be advertised with a specific relief day. Employees assigned to the extra board would submit a preference list which would remain on file until changed by the employee. Applications to change the relief day preference list must be received by 11:59 p.m. of the 20 day of each month. Each month, the preference bids will be reviewed and adjustments made as required, and relief days will be assigned in seniority order consistent with service requirements to be effective the first Monday of the following month.² A notice will be posted by the 28 of each month indicating extra board employees’ relief days. Passenger engineers who fail to submit a timely written application or passenger engineers exercising seniority to the extra board after the deadline for written application will be assigned a relief day based on availability and the requirements of service. It will be the responsibility of a passenger engineer who is off duty to submit his preference request in a timely manner. An employee occupying an extra board position who has not submitted a preference bid will have the rest day to which assigned considered his first preference when adjustments are to be made. The employee will retain that rest day if his seniority permits. If that day is selected by a senior engineer, the carrier will assign the employee another available rest day.
3. If an extra board employee is called for an assignment which runs over into his relief day, his relief day will be a twenty-four (24) hour period following the time he marks up from the assignment if service requirements so permit.

¹ Change in workweek – January 27, 2012 Wage and Rules Settlement Agreement.

² Change in workweek – January 27, 2012 Wage and Rules Settlement Agreement.

4. If an extra board employee desires to forfeit their assigned relief day, they must inform the Crew Management Office no later than 9:00 p.m. on the day immediately preceding their assigned relief day that they will remain on the extra board. Any employee forfeiting their assigned relief day will maintain their relative standing on the extra board. This will also serve to clarify that an extra board assignment is not considered a regular job simply because the employee has an assigned relief day.
 5. Employees assigned to the extra board who mark-off because of a verified illness or in a personal emergency approved by their supervisor, shall have their extra board guarantee reduced on a pro rated basis of one-fifth for each day absent.
- b. Except as provided in this paragraph, Passenger Engineers assigned to an extra board will be called first in, first out, as registered on the extra board. Passenger Engineers assigned to an extra board must be qualified to work any assignments which the extra board protects.

Note: See Appendix "H" for the Letter of Understanding dated August 8, 1995, and Questions and Answers thereto, pertaining to supplementation of extra boards in Jacksonville. Vacancies of 5 or more days may be filled by the senior Passenger Engineer assigned to the extra board requesting such vacancy. A Passenger Engineer assigned to a vacancy under this paragraph will remain on the assignment for the duration of the vacancy. If such assignment results in a Passenger Engineer not being afforded his assigned rest day nor a rest day on the vacancy to which assigned, he shall be granted a rest day, consistent with the requirements of service, upon conclusion of the vacancy. Notwithstanding any other provision of this agreement, Passenger Engineers requesting to fill vacancies under this paragraph will be compensated at the straight time rate for the first eight hours worked on each day of such vacancy.

- c. Passenger Engineers assigned to an extra board must register on the extra board immediately upon release from duty at the relieving point in the crew base.
- d. Passenger Engineers assigned to an extra board missing a call for an assignment for which they stand will be placed at the bottom of the extra board.

Note: Passenger Engineers assigned to the Chicago Zone 4 Engineers Extra Board missing a call for an assignment for which they stand, will be held off the board for twelve (12) hours from the time they were called. At the expiration of the 12-hour period, they shall be marked up automatically to the bottom of the extra board.

- e. Passenger Engineers assigned to an extra board deadheading to their home crew base will not be marked upon the board until actual arrival at their relieving point in the home crew base.
- f. Passenger Engineers assigned to an extra board will be called as nearly as possible two (2) hours before the time required to report for service or deadhead. Where local conditions warrant, the duly accredited representative and the designated Labor Relations officer may agree to a different calling time, subject to the approval of the General Chairman and the highest appeals officer of the Corporation.

- g. Passenger Engineers assigned to an extra board will not be called to fill vacancies unless they have sufficient rest to complete the assignment under the Hours of Service law.
- h. Passenger Engineers assigned to an extra board who are sent from their crew base to outlying points will not be required to remain there longer than one (1) week at a time. Deadhead pay will be allowed only to the first Passenger Engineer for the going trip and to the last Passenger Engineer for the returning trip.
- i. Passenger Engineers assigned to an extra board who are not called in their turn will be paid four (4) hours and will retain their place on the extra board.
- j. The Carrier will have the right to establish positions which will be combination regular/extra board assignments. Such positions will be advertised and awarded in accordance with Rule 6 with one rest day. The position will be guaranteed to money equivalent to forty (40) straight time hours per week.

Note: A Passenger Engineer on a combination assignment will not be called for a vacancy or extra work if it will result in the Passenger Engineer not being available for his regular assignment. It is understood the provisions of Rule 6(1) will apply. This rule is not intended to result in the reduction of regular assignments.

- k. Extra board guarantees would not be broken during such a period of time that an employee is assigned to vacation status. It was further understood that all vacation monies earned during the weekly extra board period would be applied to compute the money equivalent of forty (40) straight-time hours for the purpose of determining extra board guarantee payments.

Q & A's – RULE 9 – GUARANTEED EXTRA BOARD

- Q1. Is an extra employee entitled to deadhead pay and/or auto mileage allowance when covering assignments within the Crew Base?
- A1. No. **Agreed: 3/22/83**
- Q2. An extra Passenger Engineer is called to cover a one (1) day vacancy at an outlying point, i.e., a point outside the confines of the Crew Base. Where will such Passenger Engineer report for and be relieved from duty? (New 3/22/83)
- A2. The extra Passenger Engineer will report for duty at the principal station within the Crew Base and will be transported under pay to the outlying point. After completing service at the outlying point, the Passenger Engineer will be transported back to the principal station within the Crew Base where he will report off duty for pay purposes. **Agreed: 3/22/83**
- Q3. An extra employee on the Washington, DC, extra board is called to report for an assignment at Odenton (within the Crew Base). Where will such employee be relieved from duty? (New 3/22/83)
- A3. The extra employee will report for and be relieved from duty at the same point within the Crew Base, i.e., Odenton. **Agreed: 3/22/83**

- Q4. If an extra Passenger Engineer filling a vacancy at an outlying point marks off in the middle of his hold down, is the extra Passenger Engineer filling this vacancy entitled to deadhead compensation?
- A4. Deadhead pay is allowed only for the first and last day of the vacancy. **Agreed: 6/23/83**
- Q5. Will the extra board guarantee be pro-rated for a Passenger Engineer not completing a full week? (BLE 3/22/83)
- A5. No, except in those situations specifically provided in Rule 6, Q&A 6 and 7 and for a verified illness as provided in Rule 9(a). **Agreed: 8/2/83 and modified 8/1/98**
- Q6. Are payments such as, but not limited to, those provided in Rules 8(b) and 13(b) applied against the money equivalent of forty (40) straight time hours? (BLE 3/22/83)
- A6. Yes. **Agreed: 6/23/83**
- Q7. A Passenger Engineer is called to report at his home crew base. The job is a work extra to be run as follows: light engine North to Yard "A"-3 miles and switch cars. Then South to crew base; then light ten (10) miles East to siding "B" to pick up cars; then back to crew base; then North to yard "A" by his home crew base to yard "C" seventy (70) miles. Can you run a Passenger Engineer through his originating crew base? (BLE 3/22/83)
- A7. Yes. **Agreed: 8/2/83**
- Q8. A Passenger Engineer on an Extra Board refuses to accept a "soon as possible" call. Is such Engineer to be dropped to the bottom of the Extra Board and considered as having missed a call thereby breaking his guarantee? (BLE 3/22/83)
- A8. Yes. **Agreed: 6/23/83**
- Q9. A duly accredited representative regardless of craft as defined in Rule 1 of the Rules Agreement is assigned to an extra board and requests to mark off to attend a conference with the carrier or to represent another employee under this Agreement at an investigation. How will such action affect the duly accredited representative's status on the Extra Board?
- A9. The duly accredited representative will maintain his relative standing on the extra board. Such action will not be considered as unavailability under Rule 9(b); however, any earnings lost or any payments made in accordance with Rule 34 or under policy determination will be charged against the money equivalent of forty (40) straight-time hours for guarantee purposes. Payments made are not subject to the overtime provisions of Rule 2(b) since they are not payments for service performed. **Agreed: 6/2/88**
- Q10. What is the percentage of extra board positions that Amtrak will allocate to Auto Train employees on the Work Zone 5 engine service extra board at Washington, DC?
- A10. Based on the sixteen (16) regular passenger engineer and six (6) regular assistant passenger engineer positions at the Washington Crew Base in Zone 5; and the four (4) regular passenger engineer and three (3) regular assistant passenger engineer positions at

Lorton in Auto Train service, 25% of the positions on the combined Washington engineer extra board shall be allocated to Auto Train employees under this Article. **Agreed: NMB Case A-12290, pursuant to PL 102-306, 8/3/92**

Q11. What constitutes a verified illness?

A11. Any illness for which an employee provides evidence of medical care or other verification from a licensed physician or chiropractor. Examples of such care include a statement from the provider or a receipt for payment of medical services. **Agreed: NMB Case A-12290, pursuant to PL 102-306, 8/3/92**

Q12. When must the evidence of medical care be provided?

A12. The evidence should be provided to the employee's immediate supervisor on his or her first work day following the illness. **Agreed: NMB Case A-12290, pursuant to PL 102-306, 8/3/92**

Q13. If an employee does not verify his or her illness, how shall the guarantee be affected?

A13. The employee's guarantee will be broken for that week. **Agreed: NMB Case A-12290, pursuant to PL 102-306, 8/3/92**

Q14. How will the phrase "shall have their extra board guarantee reduced on a pro rated basis of one-fifth for each day absent" be applied in computing extra board guarantee entitlement?

A14. An employee shall have their extra board guarantee reduced on a pro rated basis of one-fifth for each day absent. (8/1/98) **Agreed: 8/1/98**

Q15. If an employee is off due to a verified illness for more than one (1) day in the work week, how shall his guarantee be affected?

A15. The employee shall have their extra board guarantee reduced on a pro rated basis of one-fifth for each day absent. (8/1/98) **Agreed: 8/1/98**

Q & A 16-27 effective 6-11-01.

Q16. What guidelines will be used in the application of the "hold down" rule specified in paragraph (b)? A16. The guidelines for the application of the Rule 9(b) "hold down" are as follows:

1. Requests to fill vacation and other vacancies will be accepted up to twenty-four (24) hours prior to the start of a vacancy. At that time, the senior applicant will be assigned the vacancy.
2. The senior applicant need not be called for another position after being notified of their assignment to the vacancy (within the 24 hour period), provided there is another employee available to fill the assignment at the straight time rate. If no other employee is available at straight time, the senior applicant will be used to fill the assignment and placed on the vacancy at the first opportunity thereafter.

3. Vacancies that are not known in advance should be posted at each crew base as soon as there is confirmation that the vacancy will be 5 or more days. Such posting should show the date posted, the job symbol, and incumbent. Employees will be permitted to submit applications for such vacancy for 48 hours after posting. After the 48 hour period, the vacancy will be assigned to the senior applicant. If no applications are received during that period, the vacancy may be assigned to the first employee requesting such assignment after the 48 hour period.
 4. Employees who have been assigned to a vacancy under this article will only be assigned to a subsequent known vacancy if after completing the first hold down they are available to fill the second position on the first day of that vacancy.
- Q17. An Extra Board Passenger Engineer places a “hold down” on a three-week vacation vacancy. After working one week of that vacation vacancy, the engineer marks off sick. Upon marking up, is the engineer released from that “hold down” on the vacation assignment or must the engineer complete the entire duration of the vacation vacancy, the remaining two-week period?
- A17. The Extra Board Passenger Engineer remains on that “hold down” and must complete the entire three week duration of the vacation vacancy before being permitted to return to the extra board or placing a “hold down” on another vacancy subject to the provisions of Rule 9(b).
- Q18. An Extra Board Passenger Engineer places a “hold down” on a two-week vacation vacancy. After working four days of that assignment, the engineer marks off with permission for one day in order to make a road re-qualification trip. Upon marking up from the re-qualification trip, the engineer informs CNOC that he/she is placing a “hold down” on a different assignment. May the engineer place a “hold down” to a different assignment?
- A18. No. The engineer will remain on the original “hold down” until the entire two-week duration of that vacation vacancy is completed.
- Q19. An Extra Board Passenger Engineer places a “hold down” on a vacancy of five days. However, after working that assignment for two days, the engineer is instructed by the Carrier to attend a one day operating rules class. Upon completing the rules class, is the engineer required to work the remaining two days of the vacancy?
- A19. Yes. The vacancy would be covered from the protecting extra board on the day the engineer attends the rules class. However, the engineer will be required to complete the remaining two days of the vacancy.
- Q20. Does the timely posting of the vacation schedule constitute proper notification of assignments subject to the provisions of Rule 9(b), the “hold down” rule?
- A20. Yes, providing the vacation schedule is accurate and timely posted prior to the beginning of the vacancy.

- Q21. A Passenger Engineer marks off with CNOc advising he/she will be off for a fifteen day period to have some minor surgery. How is notification of that vacancy made known to the employees?
- A21. The Carrier will maintain a current list of temporary vacancies eligible for "hold down" at the appropriate crew dispatchers desk. The Service Manager at the affected crew base will notify the appropriate crew dispatcher of temporary vacancies eligible for "hold down" and simultaneously post such temporary vacancies at the crew base. After the forty-eight (48) hour notification period is fulfilled, the senior Extra Board Passenger Engineer making application to CNOc to "hold down" that assignment will be awarded the "hold down".
- Q22. In the same scenario described above in Q20, the regular Passenger Engineer that marked off fails to mark up to his/her assignment as previously scheduled. Has the Extra Board Passenger Engineer working the "hold down" vacancy reverted to the extra board with the ability to place a "hold down" on another assignment subject to the provisions of Rule 9(b)?
- A22. Yes. Because the Extra Board Passenger Engineer has completed the entire duration of the "hold down" consistent with the manner in which it was advertised, the engineer has reverted to the extra board and may "hold down" another assignment.
- Q23. A Local Chairman is working a five week vacation "hold down" that has been properly awarded. After working the assignment for two weeks, the Local Chairman marks off for six days in order to attend to Union business. Is the Local Chairman required to return to the vacation "hold down" after completing the Union business?
- A23. Yes.
- Q24. In the scenario described above, is a second "hold down" permissible on the five week vacation vacancy under Rule 9(b)?
- A24. No. Only one (1) Extra Board Passenger Engineer will be allowed to place a "hold down" on any one assignment subject to Rule 9(b). Any subsequent vacancy on that assignment will accrue to the protecting Extra Board at the location where found.
- Q25. A Passenger Engineer marks off for a period of four (4) days with CNOc. An Extra Board Passenger Engineer learns of the vacancy and attempts to place a "hold down" on it. Will the engineer be awarded the "hold down"?
- A25. No. The vacancy must be of five or more days in order to be subject to the provisions of the "hold down" rule.
- Q26. An Extra Board Passenger Engineer is working a one week vacation "hold down" on an assignment having regular assigned relief days of Wednesday and Thursday. After completing Tuesday's tour of duty, the engineer wants to work the scheduled relief days of that assignment and attempts to mark up to the extra board in order to be placed in the first-in, first-out rotation for extra work. Is such an option permissible under Rule 9(b)?

A26. No. If an Extra Board Passenger Engineer is working a “hold down” and wants to work on the regularly scheduled relief days of that “hold down” assignment, the engineer may mark up to the extra board in accordance with Rule 38.

Q27. The construction of certain regular assignments only require the performance of service on four (4) days during the seven (7) day work week period. In those instances, service performed as such constitutes a full work week for that particular assignment. Are such four day assignments subject to the provisions of Rule 9(b)?

A27. Yes.