

CARRIER USED A RCO JOB OUTSIDE TERMINAL LIMITS VIOLATING THE VERNON AWARD #1141

CLAIM ONE BASIC DAY PENALTY

This is a claim by [CLAIMANT'S NAME] for a penalty payment in the amount of one (1) basic day at the road switcher rate for [DATE OF VIOLATION]. On this date, the Carrier used remote control yard crew [ASSIGNMENT OR JOB NUMBER] outside the switching limits at [TERMINAL] to perform road work that was performed by the [ROAD JOB ASSIGNMENT] crew prior to the elimination of their assignment. This action violated Article VIII, Section 2(a)(iii) of the May 19, 1986 Award of Arbitration Board No. 458. The Carrier also exceeded the scope of the Award of Special Board of Adjustment No. 1141 (the Vernon Award) because (1) the remote control yard crew was used to perform road work outside the switching limits at [TERMINAL], and (2) the road work the remote control yard crew performed outside those switching limits involved other than the movement of cars, trains and/or engines in terminal operations, or in connection with the gathering and distribution of freight and/or equipment in and around [TERMINAL].

Remember to document everything that happens on your Federal Tie Up Screen. You have 60 days from the time the claim happened to get it put in but only one chance to do your FRA Reporting correctly. So do the FRA Reporting and ask about the claim if you are not sure.