



Labor Relations
Suite 800
120 S. 6th St
Minneapolis, MN 55402

April 16, 2021

Mr. Dale E. Bogart, Jr.
General Chairman BMWED
3321 B Vestal Parkway East
Vestal, NY 13850

RE: Overtime call out acceptance accountability

Dear Mr. Bogart,

This is further to the discussions between the Company and the Union concerning overtime call out and acceptance accountability while employees from the D&H are performing work off district on CP's Central Main & Quebec Railway (CMQ-US). The Parties agree that while employees are working off district there will be a greater need for overtime callout acceptance on the D&H.

After Hours and Weekend Response

The Company and the D&H BMWED will review opportunities where four (4) qualified employees from North Seniority District and four (4) qualified employees from the South Seniority District will be placed on-call on the following basis:

- A. Positions will be awarded on a senior "may accept" basis. If the event that no bids are received, the junior qualified employee will be required to protect for a period of up to three (3) weeks in the event of no bidders during that three (3) week period. After three (3) weeks, the next junior qualified employee ahead of the person holding the position will be assigned to the position.
- B. In this application, the employee on call will be the first called for any after-hours callouts during the on-call period on their home section limits. In situations for



callouts that are off employee's home section limits, regular calling procedures will apply prior to using employees from a different seniority district call list.

- C. On-call employees will cover work for the entire subdivision or terminal.
- D. Company has the ability to implement/cancel "on-call" with seven (7) days' notice depending on seasonal and/or operational requirements.
- E. Employees who are on-call to receive eight (8) hours pay at straight time rates, for each seven (7) day period on-call.
- F. Employees who are on-call must carry a Company supplied cellular phone while protecting the service.
- G. Employees who are on-call must be fit for duty and will be required to respond to callouts during the on-call period.
- H. If an employee fails to respond to a call during their seven (7) day period, they will forfeit the eight (8) hours pay at straight time rate outline in paragraph (E).
- I. If an employee elects to bid these positions and does not report as required, the employee will be restricted from bidding, any of the positions they had bid, for a period of thirty (30) days. This provision does not restrict the Company from forcing a junior employee to protect the position.

If you are in agreement with the foregoing terms and conditions, please signify your concurrence by signing in the space provided below and return one signed copy of this letter to me for the Company's records.

This agreement will be in affect anytime there are D&H employees working on the CMQ-US.

