

RULE 19 - PROBATIONARY PERIOD

Applications for newly-hired employees shall be approved or disapproved within 90 calendar days after applicants begin work. If applications are not disapproved within the 90 calendar day period, the applications will be considered as having been approved. Applicants shall within 90 calendar days from date of employment, if requested, have returned to them all documents which have been furnished to the Company. In the event an employee's application for employment is disapproved in accordance with the provisions of this rule, he shall be notified, in writing, by the Company of such disapproval.

RULE 20 - MILITARY TRAINING

When employees assigned to regular positions who are members of the Reserves or National Guard are required to be absent from work for the purpose of their annual training exercise, they shall be paid the actual time lost during their regular work days or work weeks (maximum of eight (8) hours pay at the straight time rate of their positions for each day lost). Compensation received by the employees for other than meals, lodging or transportation, shall be remitted to the Corporation. Such employees must furnish the Corporation with a statement signed by their Commanding Officer for compensation paid and the days on which such military training service was performed.

RULE 21 - RETURNING FROM FURLOUGH

When the Carrier recalls furloughed employees to service, furloughed employees from that work zone having seniority in the class will be recalled from furlough in seniority order in that work zone. The employee's work zone will be the work zone selected by the employee at the time of furlough, or if no selection by the employee, the work zone from which furloughed.

If the pool of employees is exhausted in the work zone where the position is headquartered, the Carrier will recall in seniority order, other employees having seniority in the class who are furloughed from other work zones.

An employee who fails to return to service within ten (10) days from date notification of recall has been mailed to his last recorded address for a position or vacancy of thirty (30) days or more duration in the work zone selected or from which furloughed as designated in paragraph 1 above will forfeit all seniority under this Agreement. Forfeiture of seniority under this Rule will not apply:

- (1) When an employee, within thirty (30) days from date of notification of recall, furnished evidence satisfactory to the officer signatory to notification that failure to respond within ten (10) days was due to conditions beyond his control. Such evidence will be made available to the representative.
- (2) When an employee recalled to a gang (work zone) established in accordance with Rule 90-A, 90-B or 90-C, advises the General Chairman and appropriate Assistant Chief Engineer in writing that extenuating circumstances prevent his return to that work zone. Such extenuating circumstances will be evaluated and must be approved by the General Chairman and appropriate Assistant Chief Engineer.

- (3) When the position to which recalled is outside of the work zone selected by the employee, or if no selection by the employee, the work zone from which furloughed.
- (4) When an employee refuses recall to a gang established pursuant to Rule 89, the employee shall only forfeit seniority on rosters associated with Rule 89.

⁶Furloughed employees may exercise seniority to displace junior employees awarded to new positions or recalled to service within fifteen days from the date such junior employees start work on such new positions.

New positions filled by recalled employees will be advertised on the first Monday after five days from the date such employees start work on such positions. Such advertisements will be made in accordance with the procedures in Rule 3.

If such positions are not advertised on the first Monday thereafter, then employees in active service may exercise seniority to displace newly recalled employees, provided they notify their current supervisory officer or foreman not less than 24 hours in advance of their current starting time. The current supervisory officer or foreman shall prepare a release form to be presented to the new supervisory officer or foreman prior to making the displacement. Such release form will be available for the employee to pick up at the current supervisor's office by the end of the employee's tour. If such release form or reasonable facsimile thereof is not available, then the current supervisory officer or foreman shall contact the new supervisory officer or foreman and arrange the displacement.

RULE 21-A - ABSENT WITHOUT PERMISSION⁷

- (a) Employees who absent themselves from work for fourteen (14) consecutive days without notifying their supervisor shall be considered as having resigned from the service and will be removed from the seniority roster unless they furnish the Carrier documented evidence of either physical incapacity or that circumstances beyond their control prevented such notification. In the absence of the supervisor, the employee shall notify the office of the Division Engineer of the division on which last assigned.
- (b) If the Carrier refuses to accept such documented evidence, the employee or his representative may appeal such action in accordance with the appeal procedures of Rule 74 - DISCIPLINE.

RULE 22 - RETURNING TO DUTY AFTER LEAVE OF ABSENCE, ETC.

An employee returning to duty after leave of absence, vacation, sickness, disability or suspension, shall, within five (5) days, after reporting as ready for duty, return to his former position, exercise seniority to any position advertised during his absence, or may displace any junior employee promoted to a position under this agreement during his absence, subject to Rule 2 (a).

6 The following three paragraphs were adopted June 27, 1992

7 Revised April 22, 1982