

**RULE 9 - INCAPACITATED EMPLOYEES - PLACEMENT OF**

Subject to mutual understanding, in writing, between the Director of Labor Relations and the General Chairman in filling positions that can be taken by permanently disabled employees preference will be given to such employees as are capable of performing the service.

A permanently disabled employee so placed may be compensated at the rate of the position to which assigned, and cannot bid for advertised positions or vacancies.

Positions while occupied by such permanently disabled employees will not be subject to the seniority or advertising rules.

An employee displaced in the application of this Rule shall exercise seniority in accordance with Rule 18.

**RULE 10 - SENIORITY**

Seniority begins at the time the employee's pay starts. An employee assigned to a position of higher class than Trackman will begin to earn seniority in such higher class and lower classes on the same seniority roster in which he has not previously acquired seniority from the date first awarded an advertised position in such higher class. He will retain and accumulate seniority in the lower class from which assigned. An employee entering service in a class above that of Trackman will acquire seniority in that class from the date assigned to an advertised position and will establish seniority as of the same date in all lower classes on the same seniority roster, except as otherwise provided in Rules 89 and 90.

**RULE 11 - SENIORITY - EXERCISE OF**

Except as provided in Rules 4, 9, 12, 13, and 22, an employee may exercise his seniority only in case of a vacancy, new position, force reduction or demotion for cause.

**RULE 12 - APPOINTMENT TO OFFICIAL OR SUPERVISORY POSITIONS -  
RETENTION OF SENIORITY**

- (a) An employee possessing seniority under the provisions of this Agreement now filling or hereafter appointed to a position of Power Director, Assistant Power Director, Load Dispatcher or Assistant Load Dispatcher shall retain and continue to accumulate seniority in the class or classes in which he held seniority under this Agreement prior to such appointment, and provided he reports for duty within thirty (30) days after release from such position, he may exercise seniority in accordance with the provisions of Rule 22.
- (b) Employees under this Agreement shall have the right to make application for General Foreman positions in the area of their expertise in the Maintenance of Way Department which are not subject to the exercise of seniority under this Agreement and if senior will be afforded full review for the position consistent with Amtrak personnel policies. Such positions shall be bulletined to the Sub-department