

ARTICLE XXI

CHARGES BY YARDMEN

(a) When objections or charges are made against any yardman or switch-tender by other yardmen or switchtenders they shall be put in writing, and shall convey a full and clear statement of the objections or charges.

INVESTIGATIONS AND HEARINGS

(b) The proper officer of the Company will hear any reasonable complaint

made by an individual yardman or switchtender, or any complaint made by the authorized committee of the BRT representing same, provided due notice shall be given the Company in writing of the subject of the complaint, and a special appointment made as to the time and place same shall be considered.

(c) Yardmen or switchtenders continued in the service or not censured pending an investigation of an alleged offense shall be notified, within five days after the Company has information of the offense, that a charge is pending. Within five days thereafter an investigation shall be held, if demanded, and a decision shall be rendered and made effective within three days after the investigation.

(d) Yardmen or switchtenders taken out of service or censured for cause shall be notified by the Company of the reason therefor, and shall be given a hearing within five days after being taken out of service, if demanded, and if held longer shall be paid for all time so held at their regular rates of pay. Yardmen or switchtenders shall have the right to be present, and to have an employee of their choice, at hearings and investigations to hear all oral and to read all written testimony, and to bring out any facts in connection with the case. They shall have the right to bring such witnesses as they may desire to give testimony, and may appeal to a higher officer of the Company in case the decision is unsatisfactory. Such decision shall be made known in writing within three days after the hearing, or yardmen or switchtenders will be paid for all time lost after expiration of the three days. If, as a result of discipline administered, any exception is taken thereto by the yardman, or yardmen, switchtender or switchtenders involved, a transcript of all evidence taken at investigation shall be furnished Chairman of Committee upon request, providing the Chairman presents the Company's officer with a written request, from the yardman or switchtender disciplined, for such transcript, and a statement of the yardman's or switchtender's reasons and contention for believing that the discipline administered is unjust. In case the suspension, dismissal or censure is found to be unjust, yardmen or switchtenders shall be reinstated and paid for all time lost.

(e) Yardmen or switchtenders not at fault, required by the Company to be present at investigations as witnesses, will be paid for all time lost.

Refer to agreement on paragraphs (a) and (b) of Article IX, under date of December 18, 1919.