

ARTICLE XXVIII

FOREMEN VACANCIES

See letter dated December 10, 1946 on page 61, also letter dated April 24, 1948 on page 61. These letters also applicable in filling foreman vacancies.

MEMORANDUM OF AGREEMENT BETWEEN THE INDIANA HARBOR
BELT RAILROAD AND ITS YARDMEN AS TO THE METHOD OF FILLING
FOREMEN VACANCIES, SUPERSEDING AGREEMENT EFFECTIVE
APRIL 7, 1943.

It is agreed that in the event there is a foreman vacancy and no yardman has requested to be used for such vacancies it shall be filled as follows:

1. By advancing a qualified helper on the assignment where the vacancy exists, in which event there will be no penalty.
2. By using the first available qualified yardman on the extra board.
3. If there is no available qualified yardman as provided for in Section 1 or 2 above, the vacancy shall be filled by diverting the junior qualified helper from an assignment starting during the same starting time period as the vacancy, in which event there shall be no penalty except that a yardman diverted under the provisions of this section shall be paid at the overtime rate for service as foreman in the event such diversion results in his actually performing service on two separate assignments in a twenty-four hour period.
4. A yardman diverted from his helper assignment under the provisions of this understanding cannot be displaced by any other yardman until after he has worked one shift on the foreman position to which diverted.

This agreement becomes effective at 12:01 a. m. on Tuesday, November 26, 1946. It supersedes the agreement effective on April 7, 1943, and shall continue in effect until changed as provided herein. If either party to this agreement desires to revise, modify, or abrogate any of its provisions, thirty (30) days' written advance notice containing the proposed changes shall be given and conference shall be held before the expiration of said notice unless another date is mutually agreed upon.

Gibson, Indiana, November 25, 1946