

EMPLOYEES' EXHIBIT NO. 848

WITNESS

**BROTHERHOOD OF LOCOMOTIVE FIREMEN
AND ENGINEMEN**

**Southeastern Agreement
of
May 11, 1944**



MEMORANDUM OF AGREEMENT

This Agreement entered into this 11th day of May, 1944, by and between the carriers listed in Appendix (A), attached hereto and made a part hereof, represented by the duly authorized South-eastern Carriers' Conference Committee signatory hereto, as party of the first part, and the locomotive firemen, helpers, hostlers and outside hostler helpers of said carriers, as represented by the Brotherhood of Locomotive Firemen and Enginemen signatory hereto by its duly authorized General Chairmen and International President, as party of the second part.

WITNESSETH:

WHEREAS, on or about May 10, 1941, certain proposals on behalf of the classes of employees hereinbefore referred to were served on the carriers parties hereto by the Brotherhood of Locomotive Firemen and Enginemen; and

WHEREAS, a hearing was conducted by a President's Emergency Board and said Board on or about May 21, 1943, filed its Report together with its Findings and Recommendations with the President of the United States; and

WHEREAS, at the request of the President of the United States by letter dated May 29, 1943, the parties have conferred with respect to said proposals of May 10, 1941, and said Emergency Board Report of May 21, 1943:

NOW THEREFORE IT IS MUTUALLY AGREED:

1. To put into effect subject to requisite governmental approval and upon such approval being obtained, rates for Firemen, Helpers, Hostlers and Outside Hostler Helpers, as specifically set out in Appendixes (B) and (C) attached hereto and made a part hereof.
2. Steam locomotives of the 4-8-4 and 2-10-4 type to be reclassified for pay purposes by being moved into the next higher wage bracket.
3. A fireman, or a helper, taken from the seniority ranks of the firemen, shall be employed on all locomotives; provided that the term "locomotives" does not include any of the following:
 - (a) Diesel-electric, oil-electric, gas-electric, other internal combustion, steam-electric, or electric, of not more than 90,000 pounds weight on drivers in service performed by yard crews within designated switching limits.
 - (b) Electric car service, operated in single or multiple units.
 - (c) Gasoline, Diesel-electric, gas-electric, oil-electric, or other rail motor cars, which are self-propelled units (sometimes handling additional cars) but distinguished from locomotives in having facilities for revenue lading or passengers in the motor car; except that new rail motor cars installed after March 15, 1937 which weigh more than 90,000 pounds on drivers shall be considered "locomotives."

If the power plants of existing rail motor cars be made more powerful by alteration, renewal, replacement, or any other method, to the extent that more trailing units can be pulled than could have been pulled with the power plants which were in the rail motor cars on March 15, 1937, such motor cars, if then weighing more than 90,000 pounds on drivers shall be considered "locomotives."

- (d) Self-propelled machines used in maintenance of way, maintenance of equipment, stores department, and construction work, such as locomotive cranes, ditchers, clam-shells, pile drivers, scarifiers, wrecking derricks, weed burners, and other self-propelled equipment or machines. This will not prejudice local handling on individual railroads where disputes arise as to whether or not the character of work performed by these devices constitutes road or yard engine service.

4. On multiple-unit Diesel-electric locomotives on high-speed, streamlined, or main line through passenger trains a fireman (helper) shall be in the cab at all times when the train is in motion. If compliance with the foregoing requires the service of an additional fireman (helper) on such trains to perform the work customarily done by firemen (helpers), he shall be taken from the seniority ranks of the firemen, in which event the working conditions and rates of pay of each fireman shall be those which are specified in the firemen's schedule. The rates of pay shall be determined by the weight on drivers of the combined units.

(Note—The term "main line through passenger trains" includes only trains which make few or no stops.)

Nothing contained herein requires that two men shall be in the cab at all times when the train is in motion or the assignment of an additional or second fireman (helper) on multiple-unit Diesel-electric locomotives in any other class of service, but if an additional man is employed to perform the work customarily performed by firemen (helpers) such man shall also be taken from the seniority ranks of the firemen and his working conditions and rates of pay shall be those which are specified in the firemen's schedule. The rates of pay shall be determined by the weight on drivers of the combined units.

Nothing contained herein requires the assignment of an additional or second fireman (helper) on straight electric locomotives in multiple-unit operation.

5. (a) Existing rates of pay which are higher than those herein provided shall not be reduced.

If a rate higher than that provided by this agreement is in effect by reason of some special agreement with individual carriers such higher rate shall continue to be paid but need not be increased.

- (b) Existing differentials for divisions or portions thereof, regardless of how expressed in agreements on the individual railroads, shall be preserved.

- (c) Except as specifically provided herein, this agreement does not modify or supersede existing agreements covering rates of pay, rules, and working conditions of locomotive firemen, helpers, hostlers, and outside hostler helpers.

6. Insofar as the rates of pay provided for in this agreement depend upon the approval of any individual or governmental agency before becoming effective under the Stabilization Program, the parties hereto agree to join in such submission as may be necessary or desirable to seek the requisite approval of the appropriate individual or governmental agency. It is understood and agreed, however, that such rates of pay are not valid and binding unless and until such requisite approval has first been obtained. In the event of such approval, this agreement shall become effective ten (10) days after the date of final approval by the appropriate individual or governmental agency (the date of such approval being excluded from the computation of said ten (10) day period), except as to the rates of pay which shall be effective as of August 29, 1943, as shown in Appendix (B) and March 16, 1944, as shown Appendix (C) attached hereto and made a part hereof. Upon such final approval being forthcoming, the effective date so determined shall be automatically inserted as the effective date of this agreement without further action of the parties hereto. (*)

7. This agreement is subject to approval of the courts with respect to such of the carriers, parties hereto, as are in the hands of Receivers or Trustees.

8. This is a separate agreement by and on behalf of each of the carriers listed in Appendix (A), and their employees represented by the Brotherhood of Locomotive Firemen and Enginemen and is in full settlement of the second party's proposals of May 10, 1941, and shall continue in effect, subject to change under the provisions of the Railway Labor Act as amended.

SIGNED AT WASHINGTON, D. C., this 11th DAY OF MAY, 1944.

For the participating carriers listed in Appendix (A):

GEO. H. DUGAN

Chairman, Southeastern Carriers' Conference Committee

L. E. HART

C. S. CANNON

L. L. MORTON, GHD

(*) Requisite governmental approval of the rates of pay provided for in this agreement having been obtained on May 12, 1944, this agreement becomes effective May 22, 1944, except as to rates of pay which shall be effective as of August 29, 1943, as shown in Appendix (B) and March 16, 1944, as shown in Appendix (C) attached hereto and made a part hereof.

For the participating Organization of Employees:

D. B. ROBERTSON

International President — Brotherhood of Locomotive Firemen and Enginemen

A. J. CHIPMAN

J. C. YOUNG

J. V. FITZSIMMONS

R. B. WILKINS

H. A. HUSTED

THAD S. LEE

H. W. EVANS

W. E. MITCHELL

J. F. BAUGHMAN

APPENDIX (A)

SOUTHEASTERN RAILROADS

Which Have Authorized the Southeastern Carriers' Conference Committee to Act for Them in Connection with Notice Served by the Brotherhood of Locomotive Firemen & Enginemen Under Date of May 10, 1941, Respecting the Basis of Wage Rates for Firemen, Helpers, Hostlers and Outside Hostler Helpers, as Represented by the Brotherhood of Locomotive Firemen & Enginemen, and the Manning of Diesel-Electric, and Electric Locomotives.

Atlanta & West Point

Western Railway of Alabama

Atlanta Joint Terminals

Atlantic Coast Line

Charleston & Western Carolina

Clinchfield

Central of Georgia (*)

Chesapeake & Ohio (includes Hocking Division)

Georgia

Jacksonville Terminal

Kentucky & Indiana Terminal

Louisville & Nashville

Nashville, Chattanooga & St. Louis

Norfolk & Portsmouth Belt Line

Norfolk & Western

Norfolk Southern

Richmond, Fredericksburg & Potomac

Seaboard Air Line (*)

Southern (including State University, and Northern Alabama)

Cincinnati, New Orleans & Texas Pacific

Alabama Great Southern (including Woodstock & Blocton and Belt Railway of Chattanooga)

New Orleans & Northeastern

New Orleans Terminal

Georgia Southern & Florida

St. Johns River Terminal

Harriman & Northeastern

Cincinnati, Burnside & Cumberland River

Tennessee Central

(*) Authority given is subject to approval of court.

SOUTHEASTERN RAILROADS

RATES OF PAY FOR LOCOMOTIVE FIREMEN, HELPERS, HOSTLERS AND OUTSIDE HOSTLER HELPERS

Effective August 29, 1943

PASSENGER SERVICE

Classification of Locomotives (Weight on Drivers)	RATES PER DAY		
	Steam Firemen	Diesel-Electric Firemen (Helpers)	Electric Helpers
Less than 80,000 lbs.	\$6.42	\$6.42	\$6.42
80,000 and less than 100,000 lbs.	6.51	6.51	6.42
100,000 and less than 140,000 lbs.	6.59	6.59	6.59
140,000 and less than 170,000 lbs.	6.75	6.77	6.59
170,000 and less than 200,000 lbs.	6.83	6.85	6.67
200,000 and less than 250,000 lbs.	6.91	6.94	6.77
250,000 and less than 300,000 lbs.	6.91	6.94	6.77
300,000 and less than 350,000 lbs.	6.99	7.02	6.85
350,000 and less than 400,000 lbs.	7.07	7.11	6.85
400,000 and less than 450,000 lbs.	7.15	7.20	6.94
450,000 and less than 500,000 lbs.	7.23	7.28	6.94
500,000 and less than 550,000 lbs.	7.31	7.37	7.02
550,000 and less than 600,000 lbs.	7.31	7.45	7.02
600,000 and less than 650,000 lbs.	7.31	7.53	7.12
650,000 and less than 700,000 lbs.	7.31	7.61	7.12
700,000 and less than 750,000 lbs.	7.31	7.69	7.20
750,000 and less than 800,000 lbs.	7.31	7.77	7.20
800,000 and less than 850,000 lbs.	7.31	7.85	7.29
850,000 and less than 900,000 lbs.	7.31	7.93	7.29
Mallets regardless of weight	7.63	with 8c added for each additional 50,000 lbs. or fraction thereof	with 8c added for each additional 100,000 lbs. or fraction thereof

In all passenger service, the earnings from mileage, overtime, or other rules applicable, for each day service is performed shall be not less than \$7.16 for firemen (helpers) on Diesel-electric and electric locomotives and \$7.12 for firemen on steam locomotives.

Above rates increased 40c per day effective December 27, 1943, in accordance with agreement of January 14, 1944.

FREIGHT SERVICE

Through and Irregular Freight, Pusher, Helper, Mine Run or Roustabout, Belt Line or Transfer, Work, Wreck, Construction, Snowplow, Circus Trains, Trains Established for the Exclusive Purpose of Handling Milk and All Other Un-classified Service.

Classification of Locomotives (Weight on Drivers)	RATES PER DAY		
	Steam Firemen	Diesel-Electric Firemen (Helpers)	Electric Helpers
Less than 80,000 lbs.	\$6.90	\$6.90	\$6.90
80,000 and less than 100,000 lbs.	6.98	6.98	6.90
100,000 and less than 140,000 lbs.	7.15	7.15	7.06
140,000 and less than 170,000 lbs.	7.32	7.33	7.06
170,000 and less than 200,000 lbs.	7.48	7.50	7.14
200,000 and less than 250,000 lbs.	7.64	7.67	7.22
250,000 and less than 300,000 lbs.	7.80	7.84	7.22
300,000 and less than 350,000 lbs.	7.96	8.11	7.38
350,000 and less than 400,000 lbs.	8.12	8.19	7.38
400,000 and less than 450,000 lbs.	8.12	8.35	7.54
450,000 and less than 500,000 lbs.	8.12	8.51	7.54
500,000 and less than 550,000 lbs.	8.12	8.67	7.70
550,000 and less than 600,000 lbs.	8.12	8.83	7.70
600,000 and less than 650,000 lbs.	8.12	8.99	7.86
650,000 and less than 700,000 lbs.	8.12	9.15	7.86
700,000 and less than 750,000 lbs.	8.12	9.31	8.02
750,000 and less than 800,000 lbs.	8.12	9.47	8.02
800,000 and less than 850,000 lbs.	8.12	9.63	8.18
850,000 and less than 900,000 lbs.	8.12	9.79	8.18
Mallets less than 275,000 lbs.	8.12	with 16c added for each additional 50,000 lbs. or fraction thereof	with 16c added for each additional 100,000 lbs. or fraction thereof
Mallets 275,000 lbs. and over.	8.43		

For local or way freight service 40 cents shall be added to the through freight rates, according to class of engine. Forty cents (40c) shall also be added for all classes of service (as set forth in individual schedules) paying local or way freight rates.

Above rates increased 40c per day effective December 27, 1943, in accordance with agreement of January 14, 1944.

YARD SERVICE

Classification of Locomotives (Weight on Drivers)	RATES PER DAY	
	Steam Firemen	Electric and Diesel-Electric Helpers
Less than 140,000 lbs.	\$7.15	\$7.20
140,000 and less than 200,000 lbs.	7.27	7.27
200,000 and less than 300,000 lbs.	7.39	7.39
300,000 and less than 400,000 lbs.	7.55	7.55
400,000 and less than 500,000 lbs.	7.55	7.68
500,000 and less than 600,000 lbs.	7.55	7.81
600,000 and less than 700,000 lbs.	7.55	7.94
700,000 and less than 800,000 lbs.	7.55	8.07
800,000 and less than 900,000 lbs.	7.55	8.20
Mallets less than 275,000 lbs.	8.27	with 13c added for each additional 100,000 lbs. or fraction thereof
Mallets 275,000 lbs. and over.	8.51	

HOSTLING SERVICE

	RATES PER DAY
Outside Hostlers	\$7.79
Inside Hostlers	7.15
Outside Hostlers' Helpers	6.59

Above rates increased 40c per day effective December 27, 1943, in accordance with agreement of January 14, 1944.

SOUTHEASTERN RAILROADS

RATES OF PAY FOR LOCOMOTIVE FIREMEN, HELPERS, HOSTLERS AND OUTSIDE HOSTLER HELPERS

Effective March 16, 1944

PASSENGER SERVICE

Classification of Locomotives (Weight on Drivers)	RATES PER DAY	
	Steam Firemen and Diesel-Electric Helpers	Electric Helpers
Less than 80,000 lbs.	\$6.82	\$6.82
80,000 and less than 100,000 lbs.	6.91	6.82
100,000 and less than 140,000 lbs.	6.99	6.99
140,000 and less than 170,000 lbs.	7.17	6.99
170,000 and less than 200,000 lbs.	7.25	7.07
200,000 and less than 250,000 lbs.	7.34	7.17
250,000 and less than 300,000 lbs.	7.34	7.17
300,000 and less than 350,000 lbs.	7.42	7.25
350,000 and less than 400,000 lbs.	7.51	7.25
400,000 and less than 450,000 lbs.	7.60	7.34
450,000 and less than 500,000 lbs.	7.68	7.34
500,000 and less than 550,000 lbs.	7.77	7.42
550,000 and less than 600,000 lbs.	7.85	7.42
600,000 and less than 650,000 lbs.	7.93	7.52
650,000 and less than 700,000 lbs.	8.01	7.52
700,000 and less than 750,000 lbs.	8.09	7.60
750,000 and less than 800,000 lbs.	8.17	7.60
800,000 and less than 850,000 lbs.	8.25	7.69
850,000 and less than 900,000 lbs.	8.33	7.69
	with 8c added for each additional 50,000 lbs. or fraction thereof	with 8c added for each additional 100,000 lbs. or fraction thereof
MALLETS		
Less than 500,000 lbs.	8.11	
500,000 and less than 550,000 lbs.	8.20	
550,000 and less than 600,000 lbs.	8.28	
600,000 and less than 650,000 lbs.	8.36	
650,000 and less than 700,000 lbs.	8.44	
700,000 and less than 750,000 lbs.	8.52	
750,000 and less than 800,000 lbs.	8.60	
800,000 and less than 850,000 lbs.	8.68	
850,000 and less than 900,000 lbs.	8.76	
	with 8c added for each additional 50,000 lbs or fraction thereof	

In all passenger service, the earnings from mileage, overtime, or other rules applicable, for each day service is performed, shall be not less than \$7.56 for firemen and helpers.

FREIGHT SERVICE

Through and Irregular Freight, Pusher, Helper, Mine Run or Roustabout, Belt Line or Transfer, Work, Wreck, Construction, Snowplow, Circus Trains, Trains Established for the Exclusive Purpose of Handling Milk and All Other Unclassified Service.

Classification of Locomotives (Weight on Drivers)	RATES PER DAY	
	Steam Firemen and Diesel-Electric Helpers	Electric Helpers
Less than 80,000 lbs.	\$7.30	\$7.30
80,000 and less than 100,000 lbs.	7.38	7.30
100,000 and less than 140,000 lbs.	7.55	7.46
140,000 and less than 170,000 lbs.	7.73	7.46
170,000 and less than 200,000 lbs.	7.90	7.54
200,000 and less than 250,000 lbs.	8.07	7.62
250,000 and less than 300,000 lbs.	8.24	7.62
300,000 and less than 350,000 lbs.	8.51	7.78
350,000 and less than 400,000 lbs.	8.59	7.78
400,000 and less than 450,000 lbs.	8.75	7.94
450,000 and less than 500,000 lbs.	8.91	7.94
500,000 and less than 550,000 lbs.	9.07	8.10
550,000 and less than 600,000 lbs.	9.23	8.10
600,000 and less than 650,000 lbs.	9.39	8.26
650,000 and less than 700,000 lbs.	9.55	8.26
700,000 and less than 750,000 lbs.	9.71	8.42
750,000 and less than 800,000 lbs.	9.87	8.42
800,000 and less than 850,000 lbs.	10.03	8.58
850,000 and less than 900,000 lbs.	10.19	8.58
	with 16c added for each additional 50,000 lbs. or fraction thereof	with 16c added for each additional 100,000 lbs. or fraction thereof
MALLETS		
Less than 275,000 lbs.	8.59	
275,000 and less than 500,000 lbs.	8.92	
500,000 and less than 550,000 lbs.	9.08	
550,000 and less than 600,000 lbs.	9.24	
600,000 and less than 650,000 lbs.	9.40	
650,000 and less than 700,000 lbs.	9.56	
700,000 and less than 750,000 lbs.	9.72	
750,000 and less than 800,000 lbs.	9.88	
800,000 and less than 850,000 lbs.	10.04	
850,000 and less than 900,000 lbs.	10.20	
	with 16c added for each additional 50,000 lbs. or fraction thereof	

For local or way freight service 40 cents shall be added to the through freight rates, according to class of engine. Forty cents (40c) shall also be added for all classes of service (as set forth in individual schedules) paying local or way freight rates.

YARD SERVICE

Classification of Locomotives (Weight on Drivers)	RATES PER DAY	
	Steam Firemen	Electric and Diesel-Electric Helpers
Less than 140,000 lbs.	\$7.60	\$7.60
140,000 and less than 200,000 lbs.	7.73	7.67
200,000 and less than 300,000 lbs.	7.85	7.79
300,000 and less than 400,000 lbs.	8.03	7.95
400,000 and less than 500,000 lbs.	8.17	8.08
500,000 and less than 600,000 lbs.	8.31	8.21
600,000 and less than 700,000 lbs.	8.45	8.34
700,000 and less than 800,000 lbs.	8.59	8.47
800,000 and less than 900,000 lbs.	8.73	8.60
	with 14c added for each additional 100,000 lbs. or fraction thereof	with 13c added for each additional 100,000 lbs. or fraction thereof
MALLETS		
Less than 275,000 lbs.	8.80	
275,000 and less than 500,000 lbs.	9.06	
500,000 and less than 600,000 lbs.	9.20	
600,000 and less than 700,000 lbs.	9.34	
700,000 and less than 800,000 lbs.	9.48	
800,000 and less than 900,000 lbs.	9.62	
	with 14c added for each additional 100,000 lbs. or fraction thereof	

HOSTLING SERVICE

	RATES PER DAY
Outside Hostlers	\$8.28
Inside Hostlers	7.60
Outside Hostlers' Helpers	6.99

MEMORANDUM

Washington, D. C., May 11, 1944

The agreement signed at Washington, D. C., this 11th day of May, 1944, by the Southeastern Carriers' Conference Committee and the Brotherhood of Locomotive Firemen and Enginemen's Committee, is without prejudice to the practice of employment or non-employment of Diesel maintainers, instructors or supervisory employees; it being understood, however, that such employees will not be used to perform the work customarily done by firemen (helpers).

D. B. ROBERTSON, International President
Brotherhood of Locomotive Firemen and Enginemen.

GEO. H. DUGAN, Chairman
Southeastern Carriers' Conference Committee.

MEMORANDUM

Washington, D. C., May 11, 1944

Referring to agreement, signed at Washington, D. C., this date, by the Southeastern Carriers' Conference Committee and the Brotherhood of Locomotive Firemen and Enginemen:

This confirms the understanding between the parties that any dispute or controversy arising out of the interpretation or application of any of the provisions of said agreement may be referred by either a carrier or representative of its employees to a committee, the carrier members of which shall be the members of the Southeastern Carriers' Conference Committee signatories hereto or their successors or representatives; and the Brotherhood members of which shall be the International President, or his representative, together with nine general chairmen selected by the Brotherhood. Interpretation or application agreed upon by such committee shall be final and binding upon the parties to such dispute or controversy.

This provision is not intended to prohibit the parties from filing claims with the National Railroad Adjustment Board in the manner provided in the Railway Labor Act as amended, but if the committee provided for herein agrees upon an interpretation or application of any provisions of the agreement, such claims shall be withdrawn and settled in accordance with the decision of the committee.

D. B. ROBERTSON, International President
Brotherhood of Locomotive Firemen and Enginemen.

GEO. H. DUGAN, Chairman
Southeastern Carriers' Conference Committee.

Washington, D. C., May 11, 1944

Hon. William M. Leiserson, Chairman,
National Railway Labor Panel,
Washington (25), D. C.

Dear Sir:

The enclosed Memorandum of Agreement between carriers represented by the Southeastern Carriers' Conference Committee, and the employees of such carriers, represented by the Brotherhood of Locomotive Firemen and Enginemen, is herewith submitted, jointly, by the parties for your approval.

The rates of pay set forth in this Agreement are the same as those now in effect under the Agreement of August 13, 1943, between the Eastern Carriers' Conference Committee and the Brotherhood of Locomotive Firemen and Enginemen, heretofore approved by you on August 19th, 1943.

The effective date of the rates provided in the attached Memorandum of Agreement, applicable to diesel-electric locomotives, is August 29, 1943, being the same date that such rates were made effective under the Eastern Agreement. With respect to rates applicable to steam locomotives, by the terms of the attached Memorandum of Agreement, they are to become effective in the Southeastern territory as of March 16, 1944.

The parties, jointly, request your approval of all of those provisions of the attached Memorandum of Agreement, involving changes in rates of pay, and will appreciate prompt advice of your action, in that respect, in order that the Agreement may be put into effect upon your approval, as provided for therein.

Respectfully,

D. B. ROBERTSON, International President,
Brotherhood of Locomotive Firemen and Enginemen

GEO. H. DUGAN, Chairman,
Southeastern Carriers' Conference Committee.

NATIONAL RAILWAY LABOR PANEL

APPROVED

Date May 12, 1944

For the Chairman

WALTER T. NOLTE, Asst. in Charge
Wage and Salary Stabilization