

## UNION PACIFIC RAILROAD TE&Y ATTENDANCE POLICY

Effective August 1, 2021

Union Pacific Train, Engine, and Yard Service (TE&Y) employees are expected to protect their job assignments on a full-time basis. Unanticipated absence(s) from work, particularly a missed call and/or no-show negatively impacts operations, commitments to shippers, and a co-worker's ability to plan for off time activities. An employee who is unable to work full time and protect their employment obligations may be considered in violation of this Policy regardless of the explanation offered. This policy will allow employees to monitor their own attendance based on a predetermined points-based system. Under the points-based system, layoffs accumulating 28 or more points may be charged as a violation under this policy. It is the employee's responsibility to notify their manager in advance of layoffs and to retain documentation related to absences from work. However, notification and documentation alone do not excuse employee's responsibility to protect their job on a full-time basis. In the event an employee believes the accumulation of points calculated are not accurate, the employee may submit a TRM ticket for consideration.

### **Section 1: Point Based Policy Guidelines**

As professionals, Union Pacific employees are expected to report for work on-time and ready to perform service. Points will accumulate on an employee's attendance record based on the following matrix:

<u>Type of Layoff</u>	Extra Board Assignments*			Pool Board Assignments**			Regular Assigned Jobs***	Supplemental Boards
	Weekday	Weekend	Holidays	Weekday	Weekend	Holidays		
Sick (LS)								
Sickness in Family (LK)	3	5	8	6	8	8	8	
Personal (LP)								
Missed Call (MC)	10			10			10	15
No Show (LN)								
After Call (LW)								
Refused Call (RF)								

\*Includes: Bump boards

\*\*Includes: Training boards

\*\*\*Includes: AWTS, CRTB, Daily Preference Boards, Work Train Boards

(a) If an employee accumulates twenty-eight (28) or more points within a rolling ninety (90) day period, the employee may be charged with a violation of this Policy:

1. An Employee may be charged with a "First Offense" for violation of this policy. Any formal investigation will be conducted in accordance with the appropriate Collective Bargaining Agreement.

If the charge is substantiated, the assessed "First Offense" will remain on the employee's record for a retention period of thirty-six (36) months. Should the employee elect to waive the employee's formal investigation, the retention period will be reduced to twenty-four (24) months.

2. Should an employee accumulate twenty-eight (28) or more points within the retention period for the "First Offense," the employee may be charged with a subsequent violation of this policy and removed from service pending a formal investigation. Any formal investigation will be conducted in accordance with the appropriate Collective Bargaining Agreement.

If the subsequent charge is substantiated, the employee will be permanently dismissed from service with Union Pacific.

3. Retention periods under this policy are independent of and separate from retention periods computed under the Managing Agreement Professionals for Success (MAPS) policy.

(b) Employees, if eligible, will have the opportunity to reduce their points during a "credit period." Following any layoff that accumulates points, if an employee remains marked up or works as defined below for a period of fourteen (14) days, they can "earn" up to four (4) points. The 14 days will be extended by neutral status codes (defined below).

1. Fourteen (14) days of being marked-up and available for service or on-duty to include these status codes: OD, FR/FZ, OK, CS, HI, OS, VI, TT, FX & CI. Any layoff in LS, LK, LP, MC, LN, LW & RF, will reset the 14-day eligibility for the credit period. All other status codes will be considered neutral and will not reset credit periods nor count toward credit periods.
2. An employee can "earn" up to four (4) points for each qualifying "credit period." However, points earned cannot be banked for future use and an employee's total points cannot be less than zero (0).
3. An employee working a regular job (non-pool, non-extra board) with assigned start times as well as AWTS, CRTB are not eligible for the credit.

## **Section 2: Additional Guidelines**

(a) For purposes of the Policy:

Any layoff status (including a portion thereof) that occurs between 0600 hours Friday through 1800 hours Sunday points are accumulated as a weekend layoff.

Example: If an employee lays off at 0630 Thursday and marks up at 0630 Friday, this will be considered a weekend layoff.

- (a) For purposes of this Policy, each layoff that encompasses a 24-hour period, or portion thereof, will accumulate points per the matrix in Section 1.
- (b) For purposes of this Policy, Union Pacific recognized holidays and other peak days determined by management will be counted as "holidays." Refer to the FAQs for a list of holidays and peak days.
- (c) Approved leave days will not be considered as an absence under this Policy for purposes of accumulating points but will be considered neutral for purposes of the credit period. Approved leave days include qualifying bereavement, jury duty, a leave of absence, medical leave, family medical leave (FMLA), USERRA military leave, absence(s) for union business in accordance with the employee's respective Collective Bargaining Agreement and authorized personal leave (PL) days and vacation days (LV).
  - 1. LS, LK, and LP layoffs that are not authorized, but rather paid in accordance with a collective bargaining agreement provision for an employee to "burn" available paid leave, are not considered approved layoffs under this Attendance Policy and will accumulate points as outlined in the matrix in Section 1 above.
  - 2. Conditionally approved FMLA/MLOA absences may be converted to "unexcused" absences if the request for leave is not approved by Health & Medical. Under these circumstances, points may accumulate under the appropriate lay off type (LS or LK) as outlined in the matrix in Section 1 above. For more information, see TE&Y Attendance FAQs.

# TE&Y Attendance Frequently Asked Questions

## Effective August 1, 2021

### General

- 1) Who is governed by the revised Attendance Policy?** The revised Attendance Policy applies to all TE&Y (train, engine, and yard) agreement professionals.
- 2) Why did the Attendance Policy change March 1, 2020?** The revised Attendance Policy responds to employee requests for clear and transparent attendance requirements.
- 3) What changes have been made in the revision effective August 1, 2021?** The revised Attendance Policy reduced points for MC, LN, LW and RF (except Supplemental Boards) as well as Pool board assignments. With the reduced points for MC there will be no reductions if employee marks up early regardless of whether the employee works within 6 hours. The revision also includes an additional step in the discipline process, as well as changes to the credit period.
- 4) Was the Attendance Policy negotiated with the Unions?** No. Company Attendance Policies are established at the discretion of the Carrier and are not negotiated.

### Determining Points & Monitoring Attendance

- 5) How do employees monitor their own attendance based on the points-based system?** Employees may monitor their own attendance through the MyUP portal page or manually using the matrix in Section 1 of the Policy.
- 6) What happens if an employee switches assignments and lays off?** Points will accumulate based on the employee's assignment at the time of the layoff.
- 7) What about temporary assignments?** If an employee lays off while working a temporary assignment, the employee will accumulate points associated with the assignment the employee is working.
- 8) How does an employee request an authorized medical leave of absence (FMLA/MLOA) from work?** Employees needing a medical leave of absence may request a leave through the eHealthsafe portal or by contacting an Occupational Health Nurse. All requests for leave should be made in timely manner as leaves will only be backdated in extenuating circumstances. Leave Administration will make the final decision on the employee's eligibility for a medical leave of absence. Any time conditional FMLA/MLOA is revoked (meaning the employee has failed to provide the requested certification within the timeframe allowed by Union Pacific), the conditional leave days revert to unexcused absences and may accumulate points under this policy. Employees who use FMLA/MLOA leave for other than its intended purpose may be subject to discipline, up to and including dismissal from Union Pacific.
- 9) Where can employees find assistance for extenuating circumstance preventing them from reporting to work?** The following lists Union Pacific resources you can contact for guidance or assistance:

Resource	Method	Contact Information
<p><i>Employees needing a medical leave of absence can request a leave through:</i></p> <ul style="list-style-type: none"> <li>• eHealthSafe portal</li> <li>• local Occupational Health Nurse</li> </ul> <p><i>If your leave is related to mental health or substance abuse, contact the Employee Assistance Helpline (1-800-779-1212)</i></p>		
Employee Assistance Program (mental health and substance abuse)	Help Line	1•800•779•1212
Operation Red Block (for use while under the influence of drugs and/or alcohol)	Help Line	1•866•311•7255
Drug and Alcohol Info Line	Help Line	1•800•840•3784
Peer Support (need support from peers)	Website	<a href="https://employees.www.uprr.com/e/labor/peer/peer-support-contacts/index.htm">https://employees.www.uprr.com/e/labor/peer/peer-support-contacts/index.htm</a>
Health & Wellness Services / OHN	Website	<a href="https://leaves.www.uprr.com/ohn_contacts.shtml">https://leaves.www.uprr.com/ohn_contacts.shtml</a>
Family Medical Leave (FMLA)	TRM Ticket	<p>FMLA ticket system</p> <p><a href="https://home.www.uprr.com/cs/groups/public/@uprr/@employee/@hr/documents/employees_documents/fmla_faq_employee.pdf">https://home.www.uprr.com/cs/groups/public/@uprr/@employee/@hr/documents/employees_documents/fmla_faq_employee.pdf</a></p>

**10) What earns a credit period?** Fourteen (14) days of being marked-up and available for service or on-duty to include these status codes: OD, FR/FZ, OK, CS, HI, OS, VI, TT, FX & CI. Any layoff in LS, LK, LP, MC, LN, LW & RF, will reset the 14-day eligibility for the credit period. All other status codes will be considered neutral and will not reset credit periods nor count toward credit periods.

Regular jobs with assigned start times (E.g., non-pool and non-extra board) as well as AWTS, CRTB are not eligible for the credit.

Example Below: **Employee Work History Status Counting Toward Earning Credit**

Day	Layoff Code	Desc
1	OD	Day 1 new credit period (CP)
2	OD	Day 2 CP
3	OD	Day 3 CP
4	OK	Day 4 CP
5	OK	Day 5 CP
6	OK	Day 6 CP
7	OK	Day 7 CP
8	OK	Day 8 CP
9	OK	Day 9 CP
10	OK	Day 10 CP
11	OD	Day 11 CP
12	OD	Day 12 CP
13	OD	Day 13 CP
14	FL	(neutral)
15	OK	Day 14 (must stay in eligible status entire day)
16	OK	Credit Earned and new credit period starts Day 1 CP
17	OD	Day 2 CP
18	OK	Day 3 CP
19	Ok	Day 4 CP
20	LS	Credit Period Reset
21	OK	Day 1 new credit period

**11) Do days in furlough status count towards the credit period?** No. However, furlough status is considered neutral and will not reset the credit.

**12) How do employees assigned to an AWTS or CRTB board accumulate points under the policy?** Employees assigned to these boards are treated as a regularly assigned job under the matrix in Section One (1) of the Policy.

**13) Why are employees who are on regular jobs with assigned start times not eligible for “credit period”?** Employees are expected to protect their work assignments. Employees with regular jobs with assigned start times should know their schedules and plan their non-work-related responsibilities accordingly.

**14) What holidays and peak days are included in the Attendance Policy for purposes of point assignments?** Holidays and peak days include the following actual calendar days (not the observed days):

New Year's Eve	St. Patrick's Day	Father's Day	Halloween	Christmas Eve
New Year's Day	Good Friday	Independence Day	Thanksgiving Day	Christmas Day
Super Bowl Sunday		Mother's Day	Labor Day	Day After Thanksgiving
President's Day			Memorial Day	

Note: Holiday/Peak Day layoffs are any layoffs (or portion thereof) that occurs on any portion of the Holiday/Peak Day (0001-2359).

**15) Will points be compounded (i.e., employee lays off on a holiday that falls on the weekend)?** Points will accumulate based on the highest value for the occurrence. For example, if a holiday is on a weekend and the employee is on an extra board assignment, 8 points (holiday layoff) will accumulate for a LS, LK or LP layoff.

**16) If an employee is laid off sick for three (3) days, is that considered one occurrence?** No. An employee will accumulate points for each 24-hour period; or portion thereof, that the employee is laid off.

**Example A:** Extra Board Employee A lays off sick at 1200 hours on Monday. Employee A extends his layoff through Wednesday, marking up at 1200 hours. Employee A would accumulate six (6) points (6 total points = 3 LS weekday + 3 LS weekend).

**Example B:** Pool Employee B lays off sick at 1200 hours on Wednesday. Employee B extends his layoff through Friday 0700 hours. Employee B would accumulate fourteen (14) points (14 total points = 6 LS weekday + 8 LS weekend).

**17) Why are points assigned differently by Board?** Boards have different work requirements and characteristics.

**18) Does an approved compensated day, reset the 14-day credit period?** No. Neutral status codes do not count toward the 14 days, and it does not reset it.

**19) Why would an employee not receive 4 points for each qualifying credit period?** The employee's assignment was not eligible, or the employee's total points cannot be banked for future use or be less than zero (0). For example, if employee's total points on the date of the credit is three (3), the employee would receive a three (3) point credit. If the employee had 5 total points on the date of the credit, the employee would receive a four (4) point credit.

**20) When does a layoff event "age-off" my record and how does this affect my total points?** Layoff events will age-off the attendance monitor after 91 days. Any points accumulated with the 91-day old layoff that have not been previously reduced by a credit, will also age-off after 91 days. For example, a 10-point layoff that has been reduced to 6 points after earning a 4-point credit will age-off after 91 days and the employee's total points will be reduced by 6 instead of 10 on day 91. See examples below.

Example A: <u>Points</u>	<u>Employee History</u>	<u>Points Accumulated (Points After Credit)</u>	<u>Total</u>
	Absent April 21	3 (0)	3
	5/20 Credit	-4	0
	Absent May 21	5	5
	91 days from April 21	No reduction*	5
	91 days from May 21	-5	0

\*While the 4/21 layoff ages off, there is no point reduction as the 4/21 layoff had previously been reduced to 0 with the 5/20 credit.

Example B: <u>Points</u>	<u>Employee History</u>	<u>Points Accumulated (Points After Credit)</u>	<u>Total</u>
	Absent April 4	5 (4)	5
	Absent April 21	3 (0)	8
	5/20 Credit	-4	4
	Absent May 22	5	9
	91 Days from April 4*	-4*	5
	91 days from April 21**	No reduction**	5
	91 days from May 22	-5	0

\*While the 4/4 layoff ages off, there is only a 4-point reduction as the 4/4 layoff had previously been reduced to 4 points with the 5/20 credit.

\*\*While the 4/21 layoff ages off, there is no point reduction as the 4/21 layoff had previously been reduced to 0 with the 5/20 credit.

Example C: <u>Points</u>	<u>Employee History</u>	<u>Points Accumulated (Points After Credit)</u>	<u>Total</u>
	Absent April 4	5 (1)	5
	Absent April 21	3 (0)	8
	5/20 Credit	-4	4
	Absent May 22	5 (0)	9
	6/14 Credit	-4	5
	6/29 Credit	-4	1
	91 Days from April 4*	-1*	0
	91 days from April 21**	No reduction**	0
	91 days from May 22***	No reduction***	0

\*While the 4/4 layoff ages off, there is only a 1-point reduction as the 4/4 layoff had previously been reduced to 1 point with the 5/20 credit and 6/29 credit.

\*\*While the 4/21 layoff ages off, there is no point reduction as the 4/21 layoff had previously been reduced to 0 with the 5/20 credit.

\*\*\*While the 5/22 layoff ages off, there is no point reduction as the 5/22 layoff had previously been reduced to 0 with the 6/14 credit and 6/29 credit.

**21) If an employee believes points are calculated incorrectly, what should the employee do?** Employees should submit a TRM ticket from the MyUP Portal requesting review and/or clarification. If points are accrued inaccurately, points can be corrected after review. Additionally, refused calls and missed calls are normally reviewed automatically for accuracy within 48hrs of the occurrence. Please note that this is for Attendance related issues only. This is not for CBA, discipline, or claims questions or statements.



**22) Will my credit show up right away?** Point credits will not show up in the Attendance Monitor immediately, there is a minimum (2) day delay.

**23) What happens when you work the same day that you had a Missed Call (MC)?** In the event of a Miss Call, if you mark up and take the same train/job that you were originally called for and no delay occurred your points may be removed.

Note: It is the employees' responsibility to take their call on time/first time as required by their CBA. There is no obligation of the Carrier the employee will be able to mark up early or that there will be a job available to work and no obligation that points will be reduced.

**24) Has the process for granting PL/LV days changed under the new policy?**

The process for requesting and approving PL/LV days has not changed and is granted based on supply/demand and business needs.

**25) If I have mitigating circumstances or documentation supporting the reason for any absences for which I have accumulated points, can I provide that information and get the points removed?** There is no need to provide documentation for any absences unless an employee accumulates 28 or more points and may be charged with a violation. At that point, an employee may want to provide documentation to support the reason(s) for the layoffs, if any. Documentation will be considered at this time; however, documentation alone does not excuse your responsibility to protect your job and you may be considered in violation of this policy and charged regardless of the explanation and documentation.

**26) If I have a non-compensated bereavement that is not qualified under CBA will points accumulate when I layoff LP?** For non-qualifying, non-compensated bereavement LP will accumulate points as defined in the matrix in Section 1 of the Attendance Policy. An employee may ask CMS to use compensated leave (PL, LV) but will be subject to business needs (supply and demand).

**27) If I am charged allegedly for a first offense and have not had my hearing yet, will I still accumulate points for layoffs?** Yes. After a First Offense charge is issued, an employee will begin a new 90-day review period with zero points. If an employee lays off within the new 90-day review period, they will accumulate points as defined in the matrix in Section 1 of the Attendance Policy.