

## ENGINEER'S SPECIAL CLAIM SUBMISSION

Submit a special claim using option 1B of the tie up screen (option 15 of the main TSS screen). A complete list of all available special claim codes will populate the screen. Some of these codes do not apply on the Northern/Southern agreement. Find the code that best fits your claim. **If you use the wrong code, your claim could be denied and you will be required to resubmit using the proper code. Don't let that be a deterrent in seeing your claim go through the process.** You have 60 days to submit the claim from the date of violation and the carrier has 90 days from the date of submittal to deny the claim or payment must be made account exceeding time limit for denial. The Local Chairman has 60 days to list claims for local conference. Review declines in a timely manner. If a decline warrants forwarding, do so in an expeditious and timely manner. Agreements can be found link below.

<http://www.smartlocal773.com/agreements.html>

## TO FORWARD CLAIM

To forward claim, go to option 3 of the tie-up screen (option 15 of the main TSS screen). Your most recent denied claim(s) will be listed at top, put F in column located on left of denied claim and enter code for the local chairman (LC) for whom you wish claim to be forwarded to. For complete list of LCs, hit F1 in the field next to FORWARD TO CHAIRMAN, search by last name and enter corresponding code once located. For local chairman of 773 it will always be.

**Local Chairman code 007**

## But how do I get claims paid the first time submitted?

Answer should always include HOW, WHAT, WHEN and WHERE.

### Example 1

- **How is this a claim:** After being on duty @ 0900-hrs for train H.HOUTPL1.13A and on the Galveston sub. near MP 68 crew was instructed by dispatcher to assist southbound train symbol C.RWMSLP1.82B the BNSF 8232 that will be in Wallis siding.

**Continued next page**

We reminded the dispatcher “we were called in through freight service and are not members of their crew.” Upon arrival south train crew briefs us on what’s happening with their DPU engine number BNSF 9958. We inspect unit call mechanical followed instructions (touched controls, flip breakers, unlink, relink etc.....)

- **What did you do:** Unlinking and relinking the DPU BNSF 9958 back to the lead loco BNSF 8232
- **When did this happen:** On 4/28/20 @ 1532-hrs until 1548-hrs
- **Where did you do this:** NSS Wallis MP 81.1 in the siding on the Galveston sub.

### Example 2

- **How is this a claim:** When instructed by company officer to hostile power not in connection with my train within switching limits and appropriate hostlers/yardmen were available. We were called in hours-of-service relief to work job N.GATGAT.04A on duty 0001-hours. After dog-catching the H.TPLGAT1.04A at Manvel and yarding the train on the back lead @ 0401-hrs. We were instructed to hostler power back the north end of yard for the outbound H.GATLAR1.05A train.
- **What did you do:** uncoupled from H.TPLGAT1.04A on back lead ran down the main crossed over to 7 track to the north end to get on top of 8 track for outbound train H.GATLAR1.05A.
- **When did this happen:** On 9/4/24 @ 0401-hours until 0445-hours.
- **Where did you do this:** On the Galveston sub. between MP 0.0 and MP 2.0 (see page for actual claim)

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## **Annulment (AN)**

If an employee's job assignment (Local, Road Switcher, Work Train or Yard job) is annulled and it is NOT A HOLIDAY, the employee should submit an annulment claim for all lost earnings. If an employee's job assignment is annulled ON A HOLIDAY and the job is assigned to work more than 100 miles, the employee should submit an annulment claim for all lost earnings. If an employee's job assignment is annulled ON A HOLIDAY and the job is assigned to work 100 miles or less, SEE HOLIDAY RULES.

*Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX then select AN.*

Sample: Claim all earnings of my regular assignment (*Job Number/Train Symbol*) account my job was annulled on (*Date*). This job is assigned to work (*Number of Miles*) and (*Date*) is not a holiday.

## **Bereavement (05)**

An engineer who suffers the loss of a listed family member may take up to three (3) calendar days of paid leave using layoff code DIF. **DIF must be taken within 30 days of the date of passing unless arrangements are made with local management. Bereavement leave does not need to be taken consecutively.** Payment will consist of up to three (3) basic days at the rate of the last service performed. Employees must submit required documentation to Timekeeping for payment at email at [FINDLTYEBereavementPay@BNSF.com](mailto:FINDLTYEBereavementPay@BNSF.com) or fax to 785-676-5186. The 3 DIF layoffs will not be considered as unavailable time under the attendance guidelines. Employees who lay off DIF, but do not send the supporting documentation to Comp Systems by the 10th of the following month will have the layoffs converted to LOP and points deducted for each day.

- BLET qualifying family members are: Brother, Sister, Parent, Child, Grandchild, Spouse, Spouse's Parents, Half Brother, Half Sister, Step Brother, Step Sister, Step Parent, Step Child and Legally Adopted Child.
- UTU qualifying family members are: Brother, Sister, Parent, Child, Spouse, Spouse's Parents, Half Brother, Half Sister, Step Brother, Step Sister, Step Parent, Step Child and Legally Adopted Child.

Fill out all required fields. You must submit a copy of the obituary to either: fax 785-676-5186 or email [FINDLTYEBereavementPay@BNSF.com](mailto:FINDLTYEBereavementPay@BNSF.com)

*Submit as a special claim. Select category BEREAVEMENT/MILITARY then select 05.*

## **Board Runaround (BD)**

Employees are to be called on a first in/first out basis. The first out rested employee will be called to protect the first out assignment. If this doesn't happen and you are placed on duty behind an employee that followed you on the board, claim a basic day for being run around on the board. Board runarounds do not apply when you are run around due to not being rested.

*Submit as a special claim. Select category RUNAROUND PENALTY then select BD (CREW SUPPORT MISHANDLING) FIRST IN FIRST OUT.*

Sample: Claiming a basic day account I was run around on the board by (Employee). On (Date) I was followed on the board by (Employee). He/she was called ahead on me on (Train) at (Time) and I was called on (Train) at (Time). I stood ahead of (Employee) and should have been called on duty before him/her.

## **Call and Release**

- **After On-Duty (AO)**

Galveston (Enter this as basic day, 100 mi/yard, 130 mi/road) Claim 130 mile basic day at freight rate of pay account performed service prior to release. List service performed, i.e. checked GTB, work orders, system general orders, system general notices etc. Include info on release time and by whom.

Houston super pool (enter 213 mi.) Claim 213-mile basic day at freight rate of pay account *Houston super pool article 4. If a trainman at the home terminal of this unassigned pool is called and released at any point after being called for service, the trainman will be paid a one-way trip rate of the trip for which called and stand last out on the board.*

*Submit as a special claim. Select category ACTIVATION/CALL AND RELEASE then select AO.*

- **Prior to On-Duty (PO)**

Galveston crews: (Enter as, 65 miles) For those who, after leaving your calling place in route to work after taking initial call by the crew office (meaning you left your calling location, home, gym, store ect...), and you answer the call again and you got back on the board 1<sup>st</sup> out.

**YOU ARE NOT REQUIRED TO ANSWER THAT SECOND CALL!!!**

**Note:** Per the FRA, if you have already initiated ground transportation from your place of rest (home or AFHT hotel) to the terminal, or are already at the terminal when your call is busted, and are called with a new on duty time within 4 hours of when you initiated travel to terminal, you go back to your original on duty time before call and release occurred.

You may need to call the crew desk to ensure they properly account for your original time on duty, as cited per FRA Hours of Service 2/11/03.

Houston crews:

refer to article 4(A) you will be paid a one-way trip in the direction called @ home terminal (you must ask to be placed at the bottom of the board the company will not do the right thing on their own).

Attention Houston XBD:

- The above provision will also apply to extra board employees called for “cut in” turns to perform service in this pool.
- If **NOT** called for pool service (Enter as, 65 miles) For those who, after leaving your calling place in route to work after taking initial call by the crew office (meaning you left your calling location, home, gym, store ect...), and you answer the call again and you got back on the board 1<sup>st</sup> out.

*Submit as a special claim. Select category ACTIVATION/CALL AND RELEASE then select PO.*

## **Crew Mishandling (MC)**

Use this code when you are mishandled by the crew office. Examples include a junior employee being awarded a job you had a bid on, not being allowed to place a bump to a position you could hold, being placed to the board

Continued next page

improperly or not being properly canvassed. do not use this code for a board run around. See Board Runaround instead.

*Submit as a special claim. Select category MISHANDLING PENALTY then select MC.*

Sample Claim: Claiming a basic day account junior employee awarded bid. I was the senior bidder for (Job/Pool) on (Date) and was not awarded the bid. Junior employee (Name) was awarded the bid instead.

### **Holiday Pay (80/24)**

- **Yard Jobs, Road Switchers, Work Trains and Locals (100 miles or less)**

All Yard jobs, Road Switchers, Work Trains and Locals that are assigned to work 100 miles or less, fall under the National Paid Holiday Rules. If the employee works on the holiday, he is entitled to 50 miles in addition to his earnings using code 24. The employee may, in addition to the code 24, claim a code 80 for a day's pay (100 miles). ***Claiming the additional code 80 will deduct a PLD/ALD.*** When these jobs are annulled on a Holiday, the employee may claim a code 80 for a day's pay (100 miles).

*Claiming Code 80 will deduct a PLD/ALD.*

In all cases, employees on jobs covered by the National Paid Holiday Rules are allowed no more than a combination of eleven (11) holidays and PLDs in a calendar year.

*Claiming code 80 will deduct a PLD/ALD.*

In order to qualify for holiday pay, an employee must be available for or perform service as a regularly assigned employee on the workdays immediately preceding and following such holiday without an intervening layoff. Jobs that are assigned to work over 100 miles are not covered by the Holiday Rules and are NOT entitled to Holiday pay if they work on a holiday. If these jobs are annulled on a holiday, they are compensated under Annulment Rules.

*Submit on a working ticket using CA code 80/24.*

- **Extra Boards (Yards Only)**

In order for extra yard service employees to qualify for holiday pay, they must:

- Perform yard service on the calendar days immediately preceding and immediately following the holiday, and be available for yard service the full calendar day on the holiday; or
- Be available for yard service on the full calendar days immediately preceding and immediately following the holiday and perform yard service on such holiday; or
- Must be available for yard service on the full calendar days immediately preceding and immediately following the holiday, or perform yard service on any one or more of such days and be available on the other day or days and have been credited with 11 or more days in yard service in the 30 days prior to the holiday.

The Holidays are:

- New Year's Day
- Presidents' Day
- Good Friday
- Memorial Day
- 4<sup>th</sup> of July
- Labor Day
- Thanksgiving
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

## **Road Holidays**

Road Engineers in unassigned pool freight service who commence a trip on one of the six Road Holidays should claim code 80 for one additional basic day's pay.

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There are 6 road holidays:

- New Year's Day
- Thanksgiving
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

Engineers must make a trip in unassigned pool freight service immediately prior to the holiday and immediately following the holiday without an intervening layoff. **SIMPLY BEING MARKED UP DOES NOT QUALIFY YOU FOR HOLIDAY PAY.** Road holidays are paid in addition to PLDs. (It is possible to take 11 PLDs and 6 Road Holidays)

*Submit on a working ticket using CA code 80.*

### **HOSTLING BY ROAD CREWS (73)**

(Enter as basic day, 130 mi) When called off the road board / turn and are instructed to hostile power not in connection with my train within switching limits and appropriate hostlers/yardmen were available. Was called off (board) on (date) @ (time) for the (road job/symbol). After arriving at (location) at (time) was instructed per (yardmaster/manager's name) to perform the following hostling move with no connection to my assignment:

After tying my train down in (track #) I cut off locomotive(s) #\_\_\_\_\_ and took it / them to (track #) and attached to (train symbol if available, if not available then put head car or loco number that you attached to) I then cut in the air to the train. (include all details: unit number(s), yard, track#, times, route taken, etc). per PLB#5912, Case#125, Award 125, and SBA 18, Award 5978.

*Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX, then 73 MISCELLANEOUS AGREEMENT VIOLATION*

## **Jury Duty (85)**

Engineers are compensated for lost time when summoned for jury duty. Extra Board Engineers are paid a day at the current guarantee extra board rate for each day lost. Any payment from the court offsets the payment.

An engineer must furnish a statement from the court of jury duty allowances paid and the days on which jury duty was performed. Refer to the current System GN regarding Jury Duty for the fax number.

- There is a limit of 60 days paid jury duty per calendar year.
- No jury duty will be paid if engineer is paid a PLD or Vacation Day.
- When on “stand by” for the court, you must get permission from local management to remain off. Check General Notices for specific instructions.

*Submit as a special claim. Select category JURY DUTY / COURT / INVESTIGATION then select 85.*

## **Meals (22)**

### **Road**

- CA 09 - When an engineer in interdivisional pool freight service is on duty 8 hours or less, he is entitled to code 09.
- CA 72 - When an engineer in interdivisional pool freight service is on duty more than 8 hours, he is entitled to code 72.
- CA 41 - When an engineer in road service (other than ID service) is on duty over 8 hours and is not provided a meal period.

These codes should be automatically applied to all road tickets and are included in triprate tickets.

## **Yard (Bean Law)**

Yard crews are to observe a meal period between 4'30" and 5'40" from on duty time, or from end time of the first meal period. For more info see Bean Law

*Submit on a working ticket using the CA code 22.*

## **Mileage Reimbursement (MR)**

When an employee uses their personal vehicle in lieu of company provided transportation they are generally entitled to recoup expenses using code MR. The mileage claimed by employees should be claimed based on the distance from one terminal to another. Mileage claims shouldn't be claimed from locations other than the home terminal - or away from home terminal - for instance - employees shouldn't be claiming mileage from their home to the away from home location of their on-duty assignment. Employees should not claim miles to or from an employee's home or lodging facility. Refer to General Notices for exceptions.

*Submit as a special claim. Select category MILEAGE/PER DIEM REIMBURSEMENT then select MR.*

## **Military Service Adjustment (83)**

Under HR policy the company will pay an employee up to 15 days in a calendar year for National Guard duty or annual training. To receive the payment for NG or annual training the employee must submit their special claim and fax a copy of their LES papers to 785-676-5186. The employee should then submit a special claim for ca code 83.

If they are going full time active, they must fax their LES papers to 817-352-7145. Their differential is figured by taking their average earnings while working for the railroad in the previous six months and paying them the difference between this average and their military monthly pay. There is no need for the employee to submit a claim for this payment and they are started automatically based on information received from HR after the employee has faxed their orders to their Division and HR department. These payments are made until the employee returns from their military active service.

Payment will be the difference between what the military pays them and what their regular job would pay them. BNSF also pay this military differential for any employees that have to go active duty overseas for the entire time they are gone.

*Submit as a special claim. Select category BEREAVEMENT/MILITARY then select 83.*

## **Miscellaneous Agreement Violation (73)**

Use this code when you can't find a code to fit your violation. Make sure to include, on duty date and time, train symbol or job number, what happened, who instructed you to do it, where it happened, car and track numbers, time you started and stopped the work and what you are claiming (Basic Day or Makewhole).

*Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX then select 73.*

## **Personal Leave Days (AL/CA)**

Engineers and conductors can claim PLD/ALD for pay instead of taking the time off. ALD/PLD are paid at the rate of the last service performed. The craft you are working in will determine whether you have ALD or PLD available to you. ALD are for engineers and PLD are for trainmen. You are not due both ALD/PLD, taking/claiming either will reduce the other by the same amount. For info on how ALD/PLD are accrued see Personal Leave Days.

*Submit as a special claim. Select category LEAVE DAY/HOLIDAY then, Engineers select AL or CA (Carryover) and Trainmen select 81 or CO (Carryover).*

## **Safety Participation (ST)**

This code is used when a member of a local safety committee or an observer attends a safety meeting, a safety briefing, safety training, audit or other safety related function.

*Submit as a special claim. Select category SAFETY then select the ST code that applies to your activity.*

After entering all times, who authorized the event and selecting the trains for makewhole, if applicable, you will be given a screen to enter your remarks.

- Sample 1: Claiming all earnings of (Engineer) on the claimed trains account I laid off company business to participate in (Safety Event) on (Dates). I was instructed by (Local Supervisor) to attend.
- Sample 2: Claiming a basic day account I participated in (Safety Event) on (Dates). I was instructed to attend by (Local Supervisor).

## **Training/Rules Class (CT)**

This applies to ILT, NETSIM, Engineer Retraining (Kansas), Decertification Retraining (Kansas) and PTC training.

An employee will be given a date by which the ILT/CBT/NETSIM must be completed. Engineers who successfully complete training on their due date and do not miss their assignment will only be paid a fixed amount of \$125.08. Trainmen who successfully complete training on their due date and do not miss their assignment will be paid a basic day. ***If you are bumped before your job is called on duty this is not considered missing your assignment and you will be paid as stated above.*** Employees completing training on their due date and missing time from their regular assignment will be paid all lost earnings from their regular assignment (Makewhole).

When claiming make-whole you must wait until the employee that took your turn out of town ties up at the home terminal or you will only be allowed to add a one-way trip. If this happens submit an "Ask Comp", explain what happened and ask them to add the return trip to your ticket.

Use layoff code *RUL* when laying off to attend rules class and code *TRN* when laying off for a SIMRUN or other training.

***Submit as a special claim. Select category SAFETY & RULES TRAINING then select the CT code that applies to your training.***

## **Trainman used as an engineer (73)**

When there is no rested, available engineer working in engine service on a seniority district and it is necessary to use a post October 31, 1985 engineer currently working in ground service as an emergency engineer, the employee so used will be paid the greater of what he earns as an engineer or what he would have earned had he remained in ground service and the senior engineer on the seniority district with a standing bid on file for the engineers' guaranteed extra board will be paid the greater of the earnings of the assignment or a minimum of one guarantee day at the current guarantee board rate of pay. If the employee so used is also the senior engineer with a standing bid on file for the engineers' guaranteed extra board,

**Continued next page**

he will be paid one guarantee day in addition to all other earnings.

***If you are an engineer working in demoted status and are used as an engineer, please notify a union officer so we can identify who the Sr bidder is and make sure these claims are submitted. This is a penalty for the carrier not properly staffing the extra board.***

### **Claim for the trainman used**

***Submit as a special claim. Select category USED OFF ASSIGNMENT/HELD OFF TURN then select 76 STEPUP/WORK OFF TURN.***

- Sample: Claiming the difference in pay from what I made working (Job or Trains) and what I would have made if I would have remained on my trainman job (List Trains) account I am a post-85 demoted engineer and was used in emergency service as an engineer.
- This claim is submitted per Article 13 of the 1996 MOA.

### **Claim for Sr bidder for extra board**

***Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX then select 73.***

- Sample: Claim the greater of the earnings of the assignment or a minimum of one guarantee day at the current guarantee board rate of pay account post-85 demoted engineer [name] was used in emergency service as an engineer on (Job or Trains) at (Date & Time). I am the senior engineer with a standing bid on file for engineer's extra board 6 in (Location) which protects this assignment. This claim is made in accordance with Article 13 of the 1996 MOA.

### **If trainman used is also the Sr bidder**

***Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX then select 73.***

- Sample: Claim one guarantee day at the current guarantee board rate of pay in addition to all other earnings account I am a post-85 demoted engineer and was used in emergency service as an engineer on (Job) at (Date & Time).

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- I am the senior engineer with a standing bid on file for engineer's extra board (Number) in (Location) which protects this assignment. This claim is made in accordance with Article 13 of the 1996 MOA.

### **Trauma Counseling (TC)**

BNSF Policy allows for paid time off when an employee is involved in a critical incident and is determined by management and/or EAP counselor that he/she is unable to return to work. Time off is paid at the basic day rate.

Please check local General Notices for specific policy application.

*Submit as a special claim. Select category LIGHT DUTY/CRITICAL INCIDENT/MED then select TC.*

- Sample: Claiming three basic days account I was off due to a critical incident on (Date). I was laid off CIR on (Dates) and was authorized by (Supervisor Initials).

### **Claims for Road Jobs Only**

#### **Assisting Other Trains (AS)**

When road crews are instructed to assist the crew of another train such as hang/arm ETD, replace knuckle or tie down train, the crew should claim a basic day for assisting other trains. Make sure to include who instructed you to do the work, time work started, time work ended and any car/engine/ETD numbers.

*Submit as a special claim. Select category MISCELLANEOUS PENALTY then select AS ASSISTING OTHER TRAINS ENROUTE (ATSF). **do not use code AT.***

- Sample: Claiming a basic day account on (Date) I was called on (Train Symbol) and was instructed by (Initials) to assist the (Train Symbol) with (What You Did). I was called in through freight service and was not a member of their crew. Started the work at (Time) and ended the work at (Time).



## Conductor Only Violations (IM)

Engineers and conductors in conductor-only service will not be required to perform the following work events:

- More than two (2) work events at the Initial or Final Terminal.
- Any work train service that requires the conductor to get on the ground triggers the penalty when working conductor only work trains.

**A work event is a setout or pickup, taking the pickup or remaining cars back to the train does not count as a work event. An example of ONE work event would be setting out a car and returning to the train, or picking up a car and returning to the train.**

The total number of events remains with the train AND the crew. This means if a conductor only crew has performed no events and is swapped to another train that has already performed three (3) events, the new conductor only crew may NOT perform any more events and the crew who performed the three (3) events also may NOT perform any more work events. Using a temporary brakeman to assist a crew does not avoid the penalty.

- Pick-Ups - It is permissible to pick up while holding onto cars of the train. The pick-up must be first out in the track (not buried). A double over at the initial or final terminal is considered a work event.
- Setouts - It is permissible to setout while holding onto cars of the train. A setout must be first out in the track. Setting out a bad order is not counted as an event.
- Handling Engines - Hostling power at the initial terminal is considered one event. This means all work events to build the locomotive consist counts as one event. When picking up a locomotive enroute, it must be first out (not buried). Handling power to and from the train is NOT an event. Picking up or setting out a locomotive(s) enroute is considered an event. Setting out a locomotive(s) for a train experiencing power problems is NOT an event. Cutting in or out helper power is an event, unless done by someone other than the conductor.

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- Switching - Switching is anything other than a straight setout or pickup. Moving cars or engines not assigned to your train to access your pickup or setout is considered switching. Switching cars due to Hazmat Makeup, FRA, or any other government regulation is NOT considered a switching violation or event. However, switching cars due to BNSF train makeup, GO, GN or other instructions counts as an event.

*Submit as a special claim. Select category INTERCHANGE/CONDUCTOR ONLY then select IM.*

- Sample: Claiming all earnings of a brakeman had he been a member of our crew account while working conductor only freight service I was instructed by (Initials) to exceed the maximum number of work events allowed. Called on duty (Time) on (Train). After yarding my train in (Track) we set out lines # (First/Last Car Number) to (Track) for the 1<sup>st</sup> event. Set out lines # (First/Last Car Number) to (Track) for the 2<sup>nd</sup> event. Picked up cars (Car Numbers) out of (Track) for the 3<sup>rd</sup> event. This work was started at (Time) and completed at (Time).
- Sample 2: Claiming all earnings of a brakeman had he been a member of our crew account while working conductor only freight service I was instructed by (Initials) to move equipment that was not assigned to my train. This is not a straight pickup/setout. I was instructed to pickup (Car/Engine Number) from (Track). There were other cars/engines first out in the track and I was required to move (Car/Engine Numbers) from (Track) to (Track) to finish this move. The work was started at (Time) and finished at (Time).

### **Lap Back (LP)**

When a lap back occurs between terminals, the engineer is entitled to payment of the additional miles operated. If the lap back is greater than seven miles, the engineer is due a basic day. In trap rated service a lap back is only payable if you run in excess of 7 miles.

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In general, the agreements allow for lap backs in “emergency” situations. “Emergency” is not defined in the agreement. If an engineer is required to lap back into or out of the initial or final terminal, it is considered a penalty lap back and a claim for a basic day would be appropriate.

*Submit on a working ticket using the CA code LP.*

### **Road Crews Performing Yard Service (73)**

Road crews may not perform more than three straight set outs or straight pickups at an initial or final terminal where yard crews are on duty. If that number is exceeded, engineers should claim a basic day at yard rate (100 Miles) for the violation. If the number of events is exceeded in Conductor Only Service then see Conductor Only Violations.

Road crews cannot switch at yards where yard crews are on duty. Setting out bad orders or rearranging train for Haz Mat purposes is allowed. Rearranging train to comply with BNSF train make up instructions is a penalty.

Crews cannot unbury a pickup or move cars off a track to complete a set out.

*Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX then select 73.*

- Sample: Claiming a 100-mile basic day at yard rate account I was called on (Train) and was instructed to switch my train into compliance with BNSF train makeup rules. I was instructed to set out car (Line and Car Number) in my train due to this car was under 45 tons and cannot be within the first ten cars of the train per SSI Item 47. The total tonnage of the train was (Train Tonnage).

### **Run Off Assigned Territory (RO)**

If an employee is required to operate beyond the limits of their assignment, they are entitled to a penalty payment of one basic day (overtime will be reduced by time spent performing the penalty).

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**Comp Systems will use PTC to track the location you get on the train so make sure to log into PTC when boarding the train.**

*Submit on a working ticket using the CA code RO. Complete all fields below.*

**Miles:** 130.0

**Start Time:** Time you left terminal or switching limits

**Start MP:** MP of terminal or end of switching limits

**Turnaround:** MP of the head end of the train

**End Time:** Time you arrived back at terminal or switching limits

**End MP:** MP of terminal or end of switching limits.

**Who Authorized:** Name or initials of who instructed you

**Comments:** List any other details such as the MP of the rear of your train

### **Short Turn Around Claims (73) \*Engineer Only\***

Engineers working in short turn around service (*dog-catching is NOT short turn around service*) and multiple trips occur on a single tour of duty, claim 130-mile basic day when any of the following occur. **These apply at both the home terminal and the away from home terminal but only in short turnaround service. These claims are not due when dog-catching.**

- Total miles ran exceed 100.
- The turning point on any trip exceeds 25 miles (Must make 2 trips).
- Depart after being on duty 8 hours.

*Submit as a special claim. Select category MISCELLANEOUS PENALTY/ARTICLE IX then select 73.*

### **25 Mile Claim**

- Sample: Claiming a basic day account, I was called in short turn around service and was instructed to take (Train Symbol) from (MP Location) to (MP Location) and return with the power.

**Continued next page**

Then to take (Train Symbol) from (MP Location) to (MP Location) and return with the power. As per Rule 8 “A” section 2 of the 1973 BLE agreement, the distance from the terminal to the turning point may not exceed 25 miles. The turning point (MP Location) is beyond 25 miles from my initial terminal (MP Location).

## **100 Mile Claim**

- Sample: Claiming a basic day account, I was called in short turn around service and was instructed to take (Train Symbol) from (MP Location) to (MP Location) and return with the power for (# of Miles). We were then instructed to take (Train) from (MP Location) to (MP Location) and return to with the power for (# of Miles). We were then instructed to take (Train) from (MP Location) to (MP Location) and return to with the power for (# of Miles). The total miles ran is (# of Miles) which is more than the allowed 100 miles under Rule 8 “A” section 1 of the 1973 BLE agreement for all trips combined.

## **Side Trip (SD)**

A side trip occurs when a crew is required to make a side trip on a branch line between their initial and final terminal.

- If told about the side trip prior to departure, engineer is due time or miles (whichever is greater)
- If told about the side trip after departure, engineer is due a basic day penalty.

*Submit on a working ticket using the CA code SD.*

## **Miles Run Separate (MS)**

Additional miles run separately from trip-rate

Example: shoving Dayton yard MP 69 to MP 66 (6 miles) at Smither’s Lake in and out of plant (6 miles)

*Submit on a working ticket using the CA code MS.*

## **Trading Trains (TT) \*Engineer Only\***

Galveston crews (Enter as, 65 miles)

Houston crews (Enter as 16.25 miles)

Per article 6 (d) D. When a trainman trades trains in accordance with Part 2(F), the trainman will be paid one hour at the applicable daily rate, for each occurrence, in addition to all other earnings for the trip.

FYI this claim is not supported if you swap trains before departing the initial terminal. Include your assignment and on duty time/location and the train you were swapped to (include who issued instructions, time, and location).

*Submit on a working ticket using the CA code TT.*

## **Used Off Assignment (26A) \*Engineer Only\***

### **Home Terminal (26A)**

Engineers that are used off their regular assignment while at the home terminal are due the difference in pay from what they made while used off and what they would have made had they remained on their regular assignment.

*Submit as a special claim. Select category USED OFF ASSIGNMENT/ HELD OFF TURN then select 76 STEPUP/WORK OFF TURN.*

- Sample: Claiming the difference in pay from what I made while dogcatching on (Date) and what engineer (Name) made on his roundtrip Galveston to Corpus Christi and return. I was called off board 31 at Galveston to protect extra work. I am not on the extra board. I worked the (Train Symbol) at (Date & Time) and engineer (Name) worked the (Train Symbol) from Galveston to Corpus Christi and the (Train Symbol) from Galveston to Corpus Christi on (Date & Time). Engineer (Name) followed me on board 31 at Galveston and as per Rule 26 "A" of the 1973 BLE agreement I am entitled to the difference in pay.

## **Waiting for Lodging (WL)**

If a room is not available when the engineer arrives at the lodging facility where rooms are to be obtained, the engineer will be paid on a minute basis at the pro rata rate paid for the last service performed for all time in excess of thirty (30) minutes until a room is available. This includes all time in transportation and waiting to for a room at an overflow hotel. **The 30-minute time starts when you are denied a room.** Claim 16.25 miles per hour from the time the room was denied until a room is made available.

*Submit on a working ticket using the CA code WL.*

## **Waiting for Transportation (WT)**

When a pool crew has expired on the hours of service, claim pay on a minute basis of 16.25 miles per hour until transportation departs to the final terminal

*Submit on a working ticket using the CA code WT.*

## **Claims for Yard Jobs Only**

### **Bean Law**

Yard crews are to observe a meal period between 4'30" and 5'40" from on duty time, or from end time of the first meal period. Any deviance from this will pay 6, 12 or 62 miles as follows:

- NO Meal during the entire shift, with at least 10 hours on duty pays 62 miles.
- NO Meal during the entire shift, with less than 7 hours on duty pays 6 miles.
- NO Meal during the entire shift, with less than 10 hours and more than 7 hours on duty pays 12 miles.
- Meal taken after the 7th hour on duty and less than 10 hours on duty pays 12 miles.
- Meal taken but outside parameters in the Rule and less than 10 hours on duty; depending on the circumstances, pay either 6 or 12 miles (i.e. early meal = 6 miles; one late meal = 6 miles; two early or late meal combinations = 12 miles).

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- Meal taken after 10 hours on duty pays 62 miles.

*Submit on a working ticket using the CA code 22.*

### **Yard Crew Performing Road Service (D2)**

- A yard crew may provide HOS relief from locations up to 25 miles outside the switching limits.
- A Yard crew may service a customer at locations up to 20 miles outside of switching limits.
- A yard crew may not perform any other work outside of switching limits.
- A utility man/engineer pilot combo cannot perform any work outside of switching limits.

If a yard crew performs any other work, claim a basic day at road rate. One basic day payment is due per tour of duty if operated outside permitted limits more than once so long as the departure times are not more than eight hours apart.

*Submit on a working ticket using the CA code D2.*

- Sample: Claiming a basic day account, while working (Job Number) I was instructed by (TM Initials) to relieve (Train Symbol) at (MP Location) which is more than 25 miles outside of the switching limits. Started the work at (Time) and ended the work at (Time).

### **Other Information**

#### **Bumps**

All bumps were moved to the Permanent Bid System. See the website linked below for more information on how the Permanent Bid System works.

#### **Engineer Familiarization**

Familiarization and Qualification trips are required by management and/or Federal law when working a new territory or position.

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The number of necessary trips is determined by local management. Engineers are paid a basic day at the former BN guaranteed extra board rate of pay for each ticket while familiarizing per the BLET 2007 Memorandum of Agreement. The agreement also allows that engineers will not be denied the right to place to a job due to not being qualified to operate on a territory. The current rate of pay can be found on our division website.

### **Engineer's Guarantee Extra Board**

Guarantee is calculated on a 24-hour period. Unpaid absences during the pay period, like layoffs, reduce the maximum guarantee and laying off more than two times in a pay half causes the employee to completely forfeit his/her potential guarantee. Engineers that are bumped/cut from an extra board, regardless of the time of day, will be paid guarantee for that day. Only those earnings made while assigned to the extra board on the day they were reduced can be used to offset guarantee. Engineers who voluntarily bid from the extra board to a non-guaranteed assignment will not be paid guarantee for that day. Engineers who voluntarily bid or displace to the extra board will be paid guarantee for the day, as long as they have accepted notification and are marked up on the extra board prior to 1201.

### **Extra Leave Day**

All TYE employees receive one Extra Leave Day per year. This leave day was granted by our 2022 National Agreement. The code to use the Extra Leave Day is LXD. This day can be taken as any other paid day, subject to layoff allocations, or on the employee's birthday. This can be selected on the WFHUB under Entitlement overview then select the Extra Leave tab. By default, the Extra Leave Day will pay at vacation rate unless changed to a PLD.

### **Force Assignment**

When an engineer job goes no bid, it will be filled by force assigning a *demoted* engineer in the following order:

1. Jr. *demoted* engineer working at the source of supply (location where the vacancy occurs).

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2. Jr. *demoted* primary recall engineer from wherever they are working, regardless of distance. If forced via the primary recall agreement you will have a "PR" code placed by your name and you will not be allowed to bid out until this code is removed. The crew office cannot remove this code. Only the division crew manager can remove it.
3. Jr. *demoted* engineer on the seniority roster (Old Arizona) regardless of distance

Force assignments will only occur for vacancies in excess of the number of engineers on the bump board. For example, if there are 3 vacant jobs at Needles and 2 engineers on the bump board, only 1 job will be filled via force assignment. The logic being when the bumps trickle down the vacant jobs will be filled.

If unable to hold an engineer's job, you are considered to be in demoted status and you can be forced from the bump board. You cannot be forced while on a scheduled engineer vacation of 7 days or more but can be forced while on a trainman vacation. If forced more than 50 miles you will be granted 48 hours of travel time and you will be allowed to use company lodging for up to 60 days. You may be forced to any vacant job on your seniority district. *No mileage reimbursement is due when forced.*

## **Letter of Release**

To be released from a force assignment within the same terminal, you must put in a letter of release. The Sr engineer with a letter of release on file will be released to the bump board when a Jr demoted engineer becomes available at the terminal.

If you are force assigned to another location you will only be granted a release letter if you have not bypassed promotion. The Sr engineer with a letter of release on file will be released when a Jr demoted engineer becomes available at the location you were forced to or at the location you were forced from. You are considered to have bypassed promotion if you are working in demoted status and you could have held an engineer job at your location.

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If you are forced and have bypassed promotion the only way to be released is to bid to an engineer job.

A letter of release can only be submitted electronically by using the WFHub under Assignment then TYE Options. A letter of release must be submitted each time you are force assigned as the option is removed when you have been released.

### **Personal Leave Days**

Engineers qualify for personal leave days on the following basis:

- Less than 5 years - 3 days
- 5 years and less than 10 years - 5 days
- 10 years and less than 15 years 7 days
- 15 years and less than 20 years 9 days
- More than 20 years 11 days

To qualify for Personal Leave Days an engineer must work at least 150 days in the preceding calendar year. These days are counted in the same way as vacation qualifier days. Payment is at the rate of last service performed.

While working in demoted status, engineers are covered by UTU agreements with regard to PLDs as follows:

- Less than 5 years - 2 days (Road) 11 days (Assigned Road/Yard)
- 5 years and less than 10 years - 4 days (Road) 11 days (Assigned Road/Yard)
- 10 years and less than 15 years - 7 days (Road) 12 days (Assigned Road/Yard)
- 15 years and less than 20 years - 10 days (Road) 13 days (Assigned Road/Yard)

Continued next page

- More than 20 years - 13 days (Road) 14 days (Assigned Road/Yard)

Carryover days are computed on December 31 and are allocated depending on the craft you are working in at that time. (If working in demoted status you will carry over unused UTU PLDs and no ALD)

## **Vacation**

Employees must have a minimum of 240 "inflated" days to qualify for next year's vacation. All miles that are paid for a trip with exception of non-taxable amounts, lump sum payments, and frozen miles are used for vacation calculation. A running total of current year inflated days can be viewed using the **WFHub** under the Earned/Taken Info screen. This number is updated after each payroll closes. Any time spent in furlough, leave of absence or any other extended time off will not count towards vacation accrual and will need to be made up.

How inflated days are calculated:

Each trip worked and job has a mileage amount, inflated days are based on these miles. Road service and yard service have different inflation amounts.

- **Yard**

If working in yard service: 150 (starts) qualifying days @ 1.6 inflated factor = 240 inflated days. Example; a yard start is a 100 mile basic day; the yard inflation factor is 1.6. So, for every yard start 1.6 inflated days

- towards vacation is earned.  $[100 \text{ miles} \times 1.6 \text{ (yard inflated factor)} = 1.6 \text{ inflated days}]$

## **Road**

If working in road service - 180 (starts) qualifying days @ 1.335 inflated factor = 240.3 inflated days. In road service the basic day is 130 (there are some locals and road switchers that are 100). To calculate the number of inflated days earned is calculated using the folling formula:, divide the miles run by 130, then multiply the number times the road inflation factor of 1.335.

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- Example; a thru freight pool turn runs 220 miles one way.  $220 \text{ miles} * 2$  (round trip) = 440 divided by 130 (basic day) = 3.38 \* 1.335 (road inflated factor) = 4.5 inflated days for the round trip.

Other Factors: All observed Annual and Personal days count as qualifying days. These days are not inflated and count as one day. Paid Vacation days do not count as qualifying days for vacation during the next year. An employee can receive credit for up to ninety (90) calendar days he/she is assigned to an extra board and did not work. These days are not inflated.

Engineers qualify for vacation on the following basis:

- 8 years - 3 weeks
- 17 years - 4 weeks
- 25 years - 5 weeks (6 for BLET)

Engineers are assigned to the engineer vacation roster, from Sr to Jr, based on the number of engineer jobs on Oct 1<sup>st</sup>. Any engineer that is not assigned to the engineer vacation roster will be assigned to the trainman vacation roster of the location they are working at 0001 on Oct 1<sup>st</sup>. Only engineers assigned to the engineer vacation roster will be allowed to float 2 weeks of vacation.

All engineer vacations start at 0700. Employees working as an engineer when starting a scheduled vacation or a single vacation float day will be laid off "PRE" at 2201 the night before the vacation is scheduled to start.