

BLE-T

Division 443

Spokane Washington

**Engineer's Guide to Agreement
Claims**

Table of contents

LETTER: DEAR BROTHERS AND SISTERS.....	3
MINDSET FOR MAXIMIZING INCOME.....	4
PROCESSING CLAIMS.....	4
PROCESSING DENIED CLAIMS.....	5
COMMON CLAIMS AND MISC. INFO.....	5
SOME CLAIM EXAMPLES	9

Dear Brothers and Sisters:

The attached Engineer's Guide has been assembled, edited and disbursed with the spirit of educating, cautioning, and encouraging each and every brother and sister of the BLE-T to become proactive, understand, and protect the integrity of our existing contract. The older generation of engineers have witnessed the chipping away and reduction of income options as it relates to our contract. The strongest tool we have is to educate ourselves and work together. As the baton passes from one generation of engineers to another, each will assume the responsibility of educating the next, thereby protecting the contract for the next generation.

Remember, it is our brotherhood and our union that oversees, legislates and protects agreements such as health, dental, vision, disability, job insurance, life insurance, railroad retirement, safety issues, State and Federal laws such as "hours of service," as well as our agreement with the carrier, including wage increases, vacations, work rules, etc. In closing, you are urged to **READ, KNOW, APPRECIATE and UNDERSTAND** your agreement. **SUBMIT CLAIMS.** In short, **BECOME ACTIVE and STAY ACTIVE** with your union and Brotherhood. Do this for yourselves, your families and the generations of engineers to follow.

MINDSET FOR MAXIMIZING INCOME

1. Stay Marked Up
2. Take all calls
3. Maximize earnings of each tour of duty
4. Understand your agreements and claim options
5. Monitor boards for available jobs & C.M.S. errors
6. Make use of marking rest
7. Make use of hold downs
8. Make use of pool trades
9. Use PL and daily split days wisely
10. Be congenial with CMS and let them know you'll work
11. Maintain copies of your pay sheet and pay stubs
12. Look out for your brothers and sisters with respect to runarounds, CMS errors, and other claims
13. Inform one another

GOING ON DUTY/TIE-UP

Remember to always PRINT BOARD OR POOL LISTS after tie-up and when going on duty. Note the DATE and TIME CMS gives you a call and the type of SERVICE you are called to perform. Bear in mind, radio and telephone conversations are kept 180 days, so we have time to make verifications. Ask the crew dispatcher for their name if you don't know.

PROCESSING CLAIMS:

1. Set forth the following information when making claims:
2. Standardize your claims formats
3. State what you want
4. List facts and details: who, what, when, were, times of moves and dates.
5. Provide agreement support

Use this guide to help make payment of claims more successful and use it to assist in the appeal process. Always **DOCUMENT** and/or **NOTE** the following:

IMPORTANT: Claims occurring during your "tour of duty" should be noted on your "working time slip" whenever possible.

Dates	Job/Run #	Switch #
Times	Train ID	Track #
Engine #	Car #	Names

IMPORTANT: Claims occurring during your "Tour of Duty" should be noted on your "Working Time Slip" whenever possible.

PROCESSING DENIED CLAIMS:

YOUR RESPONSIBILITY to better ensure that your appeal of a denied claim is successful will depend on the following:

1. On the day you make your claim, make a copy of both the claim and the working time slip. If other documentation is part of your claim (runarounds, earnings, etc.) take a snapshot (computer printout) of the board or boards involved.
2. Save any other paperwork that supports your claim including call sheets, lists or other instructions. **Note** name of person(s) who have relevant knowledge to support claim.
3. Provide a written statement describing what took place, signed and dated by you. If appropriate, obtain written statements from others.
4. Make a **copy** of your pay sheet/check stubs that pertain to this claim. (Information on these documents is not otherwise available to your local chairman. This is where you are notified of your claim being denied).
5. Assemble the documentation (one package for each claim) and leave the information in an envelope in the crew room or email to your **BLE-T** Local Chairman.

IMPORTANT: Your BLE-T Local Chairman needs this documentation to process your claim. A claim that is submitted without the necessary support documentation or information info is doomed to fail. **THERE IS NO SHORTCUT.** If the claim is important to you and you want to get paid, you must do your part of the process.

Common claims and info

Bereavement Leave (non service time slip)

3 Days at basic rate Applies to brother, sister, parent, child, spouse, spouse's parent, half-sister/brother.

Rule 121 (b)

Critical Incident (non service time slip)

Allowed 3 days off. Must be authorized by Company officer. (Train ID/ date of incident) (Does not affect TPA).

Company policy

Earnings (Used Off Regular Assignment) (non service time slip)

(example: stepped up)

An engineer taken from his or her regular assignment and used in other service will receive for such service not less than he/she would have earned had he or she remained on his or her assignment. This does not apply to freight engineers called for passenger service.

Rule 118

USED OFF ASSIGNED DISTRICT (non service time slip)

An engineer used off the district on which he or she is holding an assignment, will be allowed thirty-five (35) miles for each calendar date so used at through freight rate applicable to locomotives weighing between 250,000 and 300,000 pounds on drivers.

NOTE: This rule does not apply to pool freight engineers when receiving their trains within the 25-mile zone pursuant to the following provisions in the Portland and Salt Lake Hub Agreements:

Rule 119

HAHT (Auto - pay, double check)

HAHT begins after 16 hours at AFHT. Note: HAHT is continuous after 16 hours.

Rule 96

Jury Duty (non service time claim)

When an employee is summoned for jury duty and is required to lose time from his/her assignment as a result thereof, he/she shall be paid for actual time lost with a maximum of a basic day's pay at the straight time rate for each such day, excepting allowances paid by the court for meals, lodging or transportation, subject to the following qualification requirements and limitations:

(1) An employee must furnish the carrier with a statement from the court of jury allowances paid and the days on which jury duty was performed.

(2) The number of days for which jury duty pay shall be paid is limited to a maximum of 60 days in any calendar year.

(3) No jury duty pay will be allowed for any day as to which the employee is entitled to vacation or holiday pay.

Rule 121

Runarounds (non service time slip)

Board runarounds: are CMS *mishandling* the board and are good as gold. Claim 65 miles account was rested, available and ahead of engineer and not run in turn. List engineers name (s); train ID, dates and times. Print a computer printout of board standings when tying up and going on duty.

Rule 94

EXTRA SERVICE (New Day)

(example: dog catch north bound at Eastport before you get on your train).

Engineers of regular assignments who are required to perform extra service before beginning or after completing their regular assignment will be paid a minimum of a basic day (at the applicable class of service) for such extra service in addition to not less than the earning of their regular assignment. On regular assignments having layover day or days at outlying points, engineers required to perform service on layover day shall be paid therefore in accordance with Rule 107.

Rule 46

25 Mile Zone (working or non service time slip)

At all home and away from home terminals, both inside and outside the hub, pool crews may receive their train up to twenty-five miles (25) on the far side of the terminal and run through to the scheduled terminal. Crews shall be paid an additional one-half (1/2) basic day for this service, in addition to the miles run between the two terminals. If the time spent in the zone is greater than (4) hours, then they shall be paid on a minute basis, this payment shall be at the pro rata through freight rate.

1. Leave initial terminal
2. Arrive zone point
3. Leave zone point
4. Arrive initial terminal

Beyond 25 miles is (extra service) 130 mile or basic day claim.

Appendix 55 section VI, (d)

Example: Crew receives their northbound train outside Spokane switching limits, but within the 25 mile zone limits and runs to Eastport. They shall be paid the actual miles established for the Spokane to Eastport run, and an additional 1/2 basic day for handling train within 25 mile zone.

CALLED AND NOT USED (non service time slip)

An engineer called on duty and released within four (4) hours from time on duty without performing service, other than preparing engine to go out on a train, will be allowed one-half basic day at the basic through freight rate and stand first-out; if held on duty over four (4) hours, or he or she moves engine from the track or place that he or she takes charge of the engine for the purpose of going to train, he or she will be allowed a basic day and stand last-out.

If he or she is both called and released before leaving home or place where called, no allowance will be made if the time the engineer is first contacted for a call is within the period between 6:00 AM and 10:00 PM, but one-half basic day at the basic through freight rate will be allowed if the time the engineer is first contacted for the call is within the period between 10:00 PM and 6:00 AM and retain his or her position on board.

(b) Except as otherwise provided, an engineer holding a turn in interdivisional pool freight service,

who is held four (4) hours or more and qualifies for a basic day payment shall stand first-out on the interdivisional pool freight board, but will not be used for service until the expiration of minimum rest as required by the Federal Hours of Service Law or by the applicable rest agreement from the time of release from duty, if other rested crews are available.

Rule 95

NO ROOM WITHIN 30 MINUTES (Non service time slip)

After receiving a room, adjust your rest and include the following information in your claim

1. Time you went off duty
2. Time you departed off duty point.
3. Time you arrived at lodging facility
4. Time you received your room.
5. A print out of CMS record showing original and adjusted rest time.
6. The reason for the delay in getting your room.

Article II Section, 1964 agreement

Intended trip rule

“An engineer in the Spokane pool called and released, after performing service and/or beginning an intended straight-away trip and turned back to the starting terminal, will stand first-out in the pool after attaining legal rest.”

Appendix 29

Added before noon

Engineers added to the extra board will be added prior to 12:00 Noon and will be paid guarantee for the day added provided they meet the availability requirements of this Agreement. The semi-monthly guarantee will be computed on a daily basis from the time engineer is either added to or displaces onto the extra board until the end of the semimonthly period. Earnings made on the day added will not be included in the computation of the guarantee; however no guarantee will be paid for that day unless he/she is rested and available to perform service. If called and used from the extra board, on the day added, those earnings will be used in the computation of the guarantee. Guarantee will not be paid to an engineer on the day reduced from the extra board provided that such reduction has been made prior to 12:00 Noon.

Appendix 45

MORE THAN ONE CLASS OF ROAD SERVICE Rule 9

(Example: Dumping ballast on through freight pool turn).

Road engineers employed in any class of road service may be required to perform two or more classes of road service in a day or trip subject to the following terms and conditions:

A. Payment:

- 1.** Except as qualified by A-2 below, payment for the entire service shall be made at the highest rate applicable to any class of service performed, the overtime basis for the rate paid to apply for the entire trip. Not less than a minimum day will be paid for the combined service. When two or more locomotives of different weight on drivers are used during a trip or day's work, the highest rate applicable to any locomotive used shall be paid for the entire day or trip.
- 2.** Road engineers in through freight and passenger service only shall receive full payment for the regular day or trip based on miles or hours applicable to the regular day or trip plus extra compensation on a minute basis for all additional time required in the other class of road service. The rate paid both for the regular trip and for the additional time shall be the highest rate applicable to any class of service performed during the entire day or trip. When two or more locomotives of different weight on drivers are used during a trip or day's work, the highest rate applicable to any locomotive shall be paid for the entire day or trip. Overtime rate shall apply to the extra compensation only to the extent that the additional service results in overtime for the entire day or trip or adds to overtime otherwise payable for hours required for the regular trip.

Claim Examples

CLAIM FORMAT EXAMPLE

1. *Standardize your claims*
2. *State what you want*
3. *List facts and details who, what, when, were.*
4. *Provide Agreement support*

BEREAVEMENT LEAVE (non service time slip)

Fax obituary with copy of non-service time slip Claim to UP at (1-402-591-2382 or CO. LINE 8-591-2382) List your name, social security number and claim number. Claim 3 days bereavement leave. On the 3 dates you claim, list relationship. Allowed are the following: Brother, sister, mother, father, child, spouse, spouse's parent, half-brother, and half-sister. On claim <list relationship>, <date>, <time> notice was faxed.

Rule 121.

BOARD RUN AROUND (non service time slip)

Claim 65 miles (4 hours) account I was rested, available and ahead of Engineer. Claim <list Engineer's name> on <list Date> when Engineer <list Engineer's name> was used around me on the <list train ID> on duty at <list time> on <list date>. I was called at <list time> on <list date> behind Engineer <list Engineer's name> for the <list train ID>.

Please refer to my work history and the work history of Engineer <list Engineer's name>

Rule 94.

65 MILES CALL AND NOT USED (non service time slip)

Claim 65 miles (4 hours) call and not used, I was called at <list time> for <list time> on duty for <list train> and was released at <list time> Please refer to my work history. List one of the following: A) Less than 4 hours on duty and I did not perform service. B) Released before leaving home between hours of 10:00pm and 6:00 am.

Rule 95.

CALL AND NOT USED 130 MIILES (working time slip)

Claim 130 miles call and not used account I was called at <list time> for <list time> on duty for <list Train> and was released at <list time>. Use one of the following: A) I was held over 4 hours on duty before I was released B) This is because I performed service (You MUST take charge of the power. <Explain the service performed> and I retain my position on the board. Please refer to my work history.

Rule 95

DIFFERENCE OF EARNINGS (non service time slip)

I was used in emergency off my regular assignment and claim the difference of earnings of assignment <list assignment number> on <list date> on duty at <list time>, which is the job that I worked in emergency. My regular assignment would have worked, <list assignment number> on duty at <list time> on <list date> with Engineer <list Engineer's name>. Please refer to my work history and the work history of Engineer <list Engineer's name> who was used on my turn.

Rule 118

EARNINGS (non service time slip)

Claim the full earnings of Engineer <list Engineer's name>, on assignment <list assignment number> on duty at <list time> on <list date> on account. Use one of the following: A) I was used off my regular assignment on the previous calendar day B) I was used off my regular assignment on Company business The job I worked was <list assignment number> on duty at <list time> on <list date>. Please refer to my work history and train history of my assignment

Rule 118

EARNINGS - NOT USED ON ASSIGNMENT (non service time slip)

Claim <list bulletin miles> (minimum 100 miles at last rate of pay). I was not used on my regular assignment through no fault of my own. Scheduled on duty time was <list time>, on <list run number>. Claim earnings or bulletined miles of assignment if run not operated Use one of the following: A) Job was blanked/canceled B) Job was set back to next calendar day

Rule 118

JURY DUTY (non service time slip)

Claim earnings of regular assignment for jury duty on the following dates <list dates>. You must follow your job/run # to ensure proper payment. Minimum of basic day for each day summoned for Jury Duty. Copy of Jury Summons and time card from court along with non-service time slip Claim and fax to UP at. (1-402-591-2382 or CO. line 8-591-2382)

25 Mile Zone

claim 65 mile account used in 25 mile zone to get (train id) left initial terminal (time) arrived zone point (time) left zone point (time) arrived initial terminal (time).

Appendix 55 section VI, (d)

NO ROOM WITHIN 30 MINUTES (Non service time slip)

After receiving a room, call CMS to adjust your rest. Include the following information in your claim

1. Time you went off duty
2. Time you departed off duty point.
3. Time you arrived at lodging facility
4. Time you received your room.
5. A print out of CMS record showing original and adjusted rest time.
6. The reason for the delay in getting your room.

Article II Section , 1964 agreement

Extra service - Rule 46 (New Day) (Dog Catch)

Claim Basic day, per Rule 46. Instructed to yard a north bound train due to HOS. Include Train Symbol, Time traded out, Beginning MP and Arrival time of train to Eastport.

More than one class of Road Service - Rule 9

Claim Time used in 2nd class of service, Rule 9. Include Train ID, MP and time you started 2nd class of service, and MP and time you stopped performing 2nd class of service.

(Example would be, performing work train service while on pool freight turn, such as dumping ballast on your way back to Spokane from Hinkle.

Deadheading not combined with service - Rule 102 - Side letter Q&A #11

Claim a new day account not given proper notification at call time.

Please see Q&A 11 in particular which goes to the issue of combining with service. Part of the rule stipulates that the Carrier can combine in any manner that the service requires but the Q&A says that without proper notification DH and service may not be combined, hence the position that when it is combined without proper notification 2 trip rates are due.

(Example- Called to dead head to Eastport separate and apart. on the way Dispatch tells you to dog catch a train at Bonners Ferry and take it to Eastport).

Extraboard Guarantee reduced Due to Federal Rest (non service time slip)

Claiming lost guarantee wages. I was assigned to the <list Circ 7 & Board> board from <date> and was required to initiate <6 or 7> consecutive starts on calendar days between <date and date> tying up at the HT after the <6 or 7> start at <Time> on <Date>. Per the rest requirements contained in HOS, I was not rested under the HOS to work again until <Time> on <Date>. As a result of the HOS rest, the carrier improperly showed me in an unavailable status denying payment of extra board guarantee for <2 or 3> days. I did not lay off, nor was I otherwise unavailable for service, as defined by the GEB Agreement. I was shorted <\$00.00> of guarantee. Please pay the difference amount removed from my guarantee <\$00.00>.