


# MEMORANDUM

July 12, 2011

FROM: JD WHITAKER, GENERAL CHAIRMAN 

TO: ALL CSXT GENERAL CHAIRPERSONS  
ALL CSXT VICE LOCAL CHAIRPERSONS  
ALL CSXT SECRETARY/TREASURERS  
(for the membership)

RE: JULY 1, 2011 LUMP SUM PAYMENT

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It was brought to my attention that there was confusion on the property concerning the payment date of the lump sum. I was contacted by a few local chairpersons questioning why the payment was not made on July 1<sup>st</sup>. It should be noted that there is no payment date contained in Article 5 "Lump Sum", Paragraphs A, B, C –

"A. Trainmen in active service as such on the dates specified herein below will receive a lump sum payment for each of the years the lump sum payment is made. The lump sum payment shall be subject to withholdings for applicable state, federal and local taxes and any other deduction provided for in this agreement.

1. July 1, 2010 - \$1000.00
2. July 1, 2011 - \$1000.00

"B. It is understood that there will be no duplication or pyramiding of the lump sum under this agreement and a different collective bargaining collective agreement. In such case, if the Trainman is eligible under both Collective Bargaining Agreements, he will receive no less than the lump sum money represented by the greater of the two.

"C. Trainmen who are inactive due to discipline or disability will be paid such Lump Sum after they return to service. Trainmen on a leave of absence will be eligible for this payment only if they return to service prior to the payment date of the Lump Sum. Any unique case not readily resolved by Labor Relations will be referred to the Disputes Resolution Committee."

Yesterday our office received a payment list from the Carrier concerning the lump sum payments that will be made on July 15, 2011. The qualification mechanism for payment of the lump sum is to be in active service on July 1<sup>st</sup> – such does not mean that payment will be made on that date. However, I do understand the confusion based upon the payment being made last year on July 1<sup>st</sup>. It should be understood that such resulted in numerous errors, including trainees, employees returning from furlough, qualifying engineers, and employees returning from medical leave – all not receiving payment.

JDsletters/LC2011/lump sum payment info

Also, members had their lump sum payment used to offset their guaranteed earnings, and numerous other members who just simply were omitted from the list.

Our office advised Labor Relations that their handling last year was unacceptable and demanded that they handle the issue properly this year. Our discussions were further reaffirmed during a Disputes Resolution Committee (DRC) meeting on June 29<sup>th</sup> when the Carrier advised that they had reviewed the issues expressed with the appropriate parties, and such would be addressed with payment being made on July 30<sup>th</sup>. The General Chairmen of the CSRA advised the Carrier that they were fully aware of the problems of issuing payment, and after much debate this issue was resolved with the understanding that payment would be made on July 15<sup>th</sup>.

**On June 30<sup>th</sup> our office issued a Memorandum explaining that payment would be made on July 15<sup>th</sup> – this was our first knowledge and confirmation of a solid date for payment. This information was also placed on the GO-851 website to help absorb the number of questions and phone calls this office received pertaining to the payment of the lump sum.**

However, as always in such cases, and when dealing with numerous employees and contemplating human error on the part of CSXT, I have enclosed a form for those members to use should they fail to receive the \$1,000 July 1<sup>st</sup> lump sum payment. The form may be returned to the UTU office Administrative Assistant at [gilliant@utu851.org](mailto:gilliant@utu851.org) or faxed to 904.733.1252 and action will be taken and handled in an expeditious manner.

I hope this explanation clears up any questions and concerns expressed.

**CONSOLIDATED SOUTHERN REGION  
AGREEMENT**

**Notification of unpaid lump sum - \$1,000**

**Local No:** \_\_\_\_\_

**Local Chairman:** \_\_\_\_\_

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**Employee Name:** \_\_\_\_\_ **ID No.** \_\_\_\_\_

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