

To: All Local Chairmen
From: John Hancock, General Chairman
Subject: RSIA

Cy: Membership c/o LC

Recently, we had an incident wherein a CSXT employee had a separate-from-service deadhead on the 7th day in the consecutive work day cycle as measured by RSIA.

This separate from service deadhead is a start in the consecutive service day's portion of RSIA; therefore, the employee is required to have 72 hours of rest before he can take an additional call for service. The employee can be called at the 70th hour to be on duty on the 72nd hour. The minimum 10 hour undisturbed rest period (could be more if on duty for more than 12 hours) is measured from the last service performed.

In the example below furnished by Local Chairman Chapman, the employee must have 72 hours of rest from the time of final release.

RE: RSIA Issue With Employee XXXXXXXX At Richmond, VA

Conductor XXXXX contacted the CMC Caller to advise of a situation involving RSIA and his consecutive calendar day starts.

The situation with consecutive calendar day starts is this:

02/03 Extra Board THU Rest Day
02/04 Works F71404 CO
02/05 Works MY22105 FY
02/06 Works F72306 CO
02/07 Works F01507 CO
02/08 Works Q70306 CO
Works F86608 CO
02/09 Works G88803 CO to Portsmouth (this being his 6th calendar day start)
Off duty at 1840

02/10 Deadheaded home after rest in separate service (CA 17) on duty 0805, tie up 1010.

The System is now showing him as having 7 consecutive starts which under RSIA mandates 72 hours off duty.

The two starts on February 8 counts as one start in the consecutive days portion

Attached to this sheet is a copy of CSXT instructions concerning the handling of undisturbed rest and consecutive starts regulations under RSIA. This sheet is an accurate depiction of the application of RSIA. Please make a copy of it and post it on bulletin boards so all will have knowledge of the correction application of the Law.

Inasmuch as CSXT's application is correct, it will govern on all properties where RSIA is applicable.

This information is also posted on our web site at www.utu851.org under RSIA

Definitions:

Statutory undisturbed time off:

- Generally this is 10 hours of undisturbed time. It may be longer, if the crew was on duty greater than 12 hours. The undisturbed time increases the 10 hours on a minute-to-minute basis for time on duty over 12 hrs.
- Calls received from employees are not a disruption of rest.

Busted Calls/Call Cancel

- We should not contact employees during their statutory undisturbed time. This prevents any issues of travel time co-mingling with prior service.
- 3 options for crew members who have reported for duty:
 - 1) Leave them on duty for the time they were originally called for (and busted).
 - 2) Interim release: If it is planned to call them back prior to their 10 hours. They will have time left to work based on how long they were on duty before being busted. This follows the co-mingled starts logic. FRA does not require telling employees up front, however, it is CSX policy to notify employees they will not have 10 hours undisturbed time off.
 - 3) Give them 10 hours off (new statutory rest period): If they are not needed and have a new statutory rest period, they will have 12 hrs to work.
- Calls received from employees are not considered a disruption of rest.

Interim Release/Aggregate/Respite:

- Crew members should be notified up front, if it is planned to call them back prior to their 10 hours of undisturbed time. CSX policy, not law.
- The period of interim release must be undisturbed time. This period must be 4 hours or longer, otherwise, the time will all be considered on duty time.
- It is possible to give crews a 4 hour interim release by telling them to come back in 4 hours – this is prior to the interim release.
- It is possible to give them a 5 hour interim release by giving them a 5 hour call up front.
- A 6 hour or longer interim release is possible by notifying them of their call after they have had 4 hours off and then giving them a normal 2 hour call. Also a 6 hr call up front is acceptable.

Co-mingled Service

- Any service that is not separated by the statutory undisturbed time off on the front and back end of the service. This is generally the 10 hours of undisturbed time. It could be longer, if their prior on duty time exceeded 12 hours.
- It is CSX policy that all crews be notified in advance, if they are not going to have a minimum of 10 hours undisturbed time.
- So, a crew that takes a train and is off for 9 hours and then deadheads. This will be commingled service, because they have not had the required 10 hours of undisturbed time off. They will have only the time remaining from prior service to work. If this is a deadhead then it is possible that limbo time will be accrued, due to the co-mingled rules.

Undisturbed Rest

- T&E employees may contact CMC during their undisturbed period.
- It is also acceptable to call back, if somehow they leave a message or get disconnected.

1) Limbo Time

- This applies to the time waiting for, or in deadhead transportation from relieved point to place of final release when the employee has been on duty in excess of 12 hrs.
- Calendar Monthly cap on Limbo Time is 30 hours.

2) 6 & 2 (48 hrs) and 7 & 3 (72 hours) Provision:

- Consecutive Days of starts depends on the date the employee goes on duty.
 - So employees going on duty at 0001/17, 2300/18, 1300/19, would be 3 consecutive days of starts. Furthermore, it does not actually matter what time they go on duty. The calculation is based on the date they go on-duty.
- Only covered service applies. So, employees must be either working on a train or the start must be co-mingled with train service. For an employee that combo-deadheads and then takes a train. The date they went on duty on the combo deadhead applies. The date they got on the train does not. If an employee attends a Rules class (that generally does not co-mingle with a duty period), the start is not counted.
- This is not a count of starts they work. It is possible to have more than 6 on-duty periods in 6 calendar days. Initiating 2 on-duty periods on the same day is still considered one consecutive day of work.
- Employee start counts are computed from the employee's reporting in PRDF, not TECS. PRDI shows the official records.
- Employees starting a tour of duty on 6 consecutive calendar days requires 48 consecutive hours off at their home terminal. They can go on duty on or after 48th hour mark.
- If an employee is at the away location after completing their 6th consecutive day, they can work or deadhead home on day 7, however will be require to receive 72 consecutive hours off at their home terminal.
- If the employee does not get out on day 7 at the away from home location and deadheads home in separate service or works home on day 8, they will require 48 hrs off at their home terminal.
- If the employee has less than 6 consecutive starts and deadheads home in separate service (no co-mingled service) and does not perform covered service on that day, they will break their cycle and begin a new cycle. Not working from midnight to midnight breaks their cycle, whether they are home or away from home.

- 3) Monthly cap of 276 hours worked
- Working is defined as hours on-duty, limbo time and any other mandatory service. Mandatory Service is time spent by an employee in a railroad required activity that is a condition of employment that compels an employee to perform service for the railroad.
 - Any work that is scheduled by the railroad needs reported.
 - Work that is done that is not schedule by the railroad or is not mandatory is not necessary to report.
 - Time working in other crafts needs reported.
- 4) 10 consecutive hrs of undisturbed rest after a duty period
- Additionally, if time on duty exceeds 12 hrs (which may include time waiting for or in deadhead transportation), the amount of time over 12 hours will be added to their 10 hrs of undisturbed time.
 - So an employee working and/or deadheading 13 hours that has incurred 1 hr additional statutory time off, would require 11 hrs of undisturbed time off. If they get a 2 hr call, they would need at least 13 hrs off before going on duty.
 - Employees working a show up job would be able to report at the end of the undisturbed period. For example, a Yard job that reports regularly at 0700 without a call could work/deadhead until 2000 (13 hrs on duty), take 11 hrs off (10+1) and report for duty the next day at 0700 without issue.
- During a train employee's undisturbed off duty period a railroad carrier, officers, and agents shall not communicate with the train employee by telephone, by pager, or any other manner that would be expected to disrupt employee's time off.