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General Chairman

# united transportation



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October 1, 2010

GENERAL COMMITTEE GO-851  
CSX/SCL - FECR - WSSB - HPTD - GM - GARR - SCPR - SCCR

Mr. David W. Ingoldsby  
Assistant Vice President – Labor Relations  
CSX TRANSPORTATION  
6735 Southpoint Drive South, J-455  
Jacksonville, FL 32216

SCANNED & SENT

Dear David:

This is the third letter of our series concerning the Carrier's new absenteeism and availability policy.

I have furnished you two previous examples wherein the policy makes no allowances for individual and unusual circumstances. Please find a copy of correspondence sent by Engineer James Carelock at Fitzgerald, GA to Mr. Bill Coyle who had directed a certified letter admonishing him for violations of the Carrier's Attendance Policy.

This latest letter addressed to Engineer Carelock, and his (Carelock) response, underscores our concerns that CSXT is simply mass mailing letters for [alleged] violations of its attendance policy. Simply stated, the attendance policy is not being applied as a living document, taking into account individuals circumstances.

Additionally, our local chairmen are advising that employees are not being able to reach availability specialist to discuss the counseling letters. The mail box is full or they just do not get a return phone call. The counseling letters are introduced by the Carrier at formal hearings asserting that the individuals have already received two letters of caution concerning attendance failures.

This issue – harsh straight down the line application – has been arbitrated on this property, and CSXT has been admonished by Public Law Boards 6903 (Rinaldo), 6879 (Ross) and 6880 (Binau). I have attached copies of two of these Awards wherein the Boards have stated that the absenteeism policy must be a "living policy."

Inasmuch as we now have arbitral support for the Organization's position, it is necessary that we resolve our dispute in this area in the same manner as the former SCL resolved it with the General Chairmen on August 31, 1973. The (former) SCL made an Understanding with the General Chairmen of jurisdiction concerning mark-ff for sickness, and that document is in full force and effect. We do realize that it may need

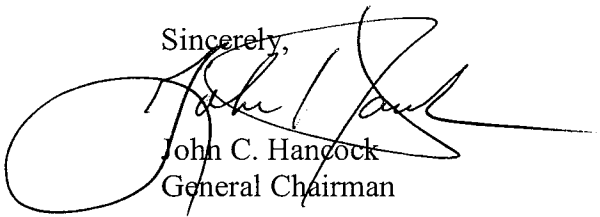
updating; however, an absolute promulgation of a new rule is not the proper manner to do, as such violates the RLA, as amended. As noted, we also have recent arbitration precedent that supports our position. I do realize that each disciplinary action must stand or fall on that case. At the same time, we also have an issue of policy that appears to directly conflict with a current Letter of Understanding. This will become an issue that must be arbitrated; I prefer a resolution.

Again, as we work through this process, I think it is important to have this information – letters of abuse and agreement issues – available so that a proper determination and handling of this issue, among all parties, is acceptable and reasonable.

As previously noted, General Chairman Lesniewski is heading this issue for the General Chairmen. We all felt that one person handling the issue could get handling expedited. Accordingly, I am copying this correspondence to him. I have been discussing the matter with him. It is now appropriate that we return together to see if we can finalize our handling on this issue.

Please advise

Sincerely,



John C. Hancock  
General Chairman

JCH:gmt  
Enclosures

Cy: Mike Futhey, International President, CSXT  
Art Martin, Asst. President, UTU  
Kim Thompson, GS/T, UTU  
John Lesniewski, GC – B&O  
All CSXT General Chairpersons, UTU  
All CSXT Local Chairpersons, UTU  
Stephen Crable, VP- Employee Relations