


MEMORANDUM

May 27, 2010

To: All Local Chairmen - CSXT
From: John Hancock, General Chairman 
RE: CSXT SYSTEM NOTICE 108

We have received correspondence concerning the May 17, 2010 CSXT System Notice 108, specifically Part 2 wherein it requires employees who work in excess of 13 hours to report for duty after serving his/her statutory rest period unless otherwise instructed by the immediate supervisor. We have been asked of the validity of such Notice. It is in compliance with the Agreement effective June 1, 2010.

As noted, the effective date of the Consolidated Agreement is effective June 1, 2010; as such, I direct your attention to Article 33, Section A, reading in part:

“This does not prohibit the Company from notifying employees prior to their registering off duty, to report for duty at the expiration of their rest.”

Additionally, I would direct your attention to Article 45, Section A, Note 1 reading (in part pertinent):

“When it becomes necessary to change the starting time temporarily, Trainmen will be given notice thereof at or prior to completion of work on the day prior to such temporary change. Road Switcher/Mine Runs will report without being called at the on duty time of the assignment or at the expiration of their rest period.”

Similar language is found in Article 55, Note 1 of the single-system agreement. As such, based on the application of the UTU 2010 System Agreement, the bulletin is proper.

Important: The parties also have agreed, in the application of such, that an employee's on-duty time is time on-duty for pay purposes and will commence at the regularly time scheduled time the individual was originally scheduled to report for duty without regard to the actual report time.

Example: An employee 's regularly scheduled reporting time is 0800 hours daily Monday through Friday. On Monday, the individual is under pay from 8:00 a.m. until 10:05 p.m. Under the current requirements of the Rail Safety Improvement Act, the employee must have 12 hours 5 minutes undisturbed rest; therefore, he would not be rested for reporting time until 10:05 a.m. This is based on the employee having been on duty 14 hours and 5 minutes from the previous day – taking the 10 hours' required rest plus the 2 additional hours 5 minutes hours for additional

rest account of working 14 hours 5 minutes the previous day, he can only report for HOS purposes at 10:05 a.m. However, **the employee would be under pay beginning at 0800 hours. This would mean that the individual would go on overtime at 4:00 p.m. even though, for HOS purposes, he had only been on duty for 5 hours 55 minutes.**

Please make this information available to the membership so that they can correctly claim their pay. Obviously, this will bring up a screen in their payroll reporting period to explain why they are showing technically “under pay” at 0800 hours. They will need to explain in “remarks” that such is for pay purposes only but their HOS did not begin until 10:05 a.m.

Cy: JR Townsend, General Chairman – C&O
Randy Pullen, General Chairman – A&WP
Myron Becker, Director, Labor Relations, CSXT
Robert Kerley, Vice President, UTU

CSX TRANSPORTATION
SYSTEM BULLETINS/NOTICES
MAY 17, 2010

BULLETINS & NOTICES

SYSTEM NOTICE

108

TO: ALL T & E EMPLOYEES
LOCATION: CSX TRANSPORTATION
EFFECTIVE: MONDAY, MAY 24, 2010
SUBJECT: REPORTING FOR DUTY AFTER MANDATED STATUTORY REST PERIOD

ALL ACTIVE TRAIN AND ENGINE SERVICE EMPLOYEES WILL MEET THE FOLLOWING REQUIREMENTS IN REFERENCE TO REPORTING FOR DUTY AFTER OBSERVING MANDATED STATUTORY REST PERIOD.

1) THE FOLLOWING GUIDELINES APPLY TO ANY TRAIN AND ENGINE SERVICE EMPLOYEE ASSIGNED TO ONE OF THE FOLLOWING ASSIGNMENTS YARD, LOCAL, WORK TRAIN OR ASSIGNMENT WITH A SPECIFIED START TIME. WHEN TOUR OF DUTY IS LESS THAN 13 HOURS, THE EMPLOYEE WILL REPORT FOR DUTY AT THEIR NEXT APPOINTED ON DUTY TIME AFTER OBSERVING HIS/HER STATUTORY REST PERIOD.

EXAMPLE: Y10110 START TIME 0700

CREW ON DUTY AT 0700 IS RELIEVED AT 1900 AND HAS A RELEASE TIME OF 2000.

THE ON DUTY TO RELEASE TIME IS 13 HOURS. THEREFORE, THE REQUIRED STATUTORY REST PERIOD IS 11 HOURS AND THE UNDISTURBED REST PERIOD STARTS AT 2000. IN THIS EXAMPLE THE CREW IS AVAILABLE FOR THEIR NEXT START TIME AT EXACTLY 0700 AFTER OBSERVING THEIR 11 HOUR STATUTORY REST PERIOD.

2) THE FOLLOWING GUIDELINES APPLY TO ANY TRAIN AND ENGINE SERVICE EMPLOYEE ASSIGNED TO ONE OF THE FOLLOWING ASSIGNMENTS YARD, LOCAL, WORK TRAIN OR AN ASSIGNMENT WITH A SPECIFIED START TIME. ANY EMPLOYEE WHOSE TOUR OF DUTY IS IN EXCESS OF 13 HOURS WILL REPORT FOR DUTY AFTER OBSERVING HIS/HER STATUTORY REST PERIOD UNLESS INSTRUCTED OTHERWISE BY HIS/HER IMMEDIATE SUPERVISOR.

ISSUED BY THE OPERATING RULES DEPARTMENT

DIV:HQ DIST:01 TYPE:SN DOCNUM:108

PAGE:001 OF 001

***** END OF DOCUMENT *****

PRINTED: 05/22/10 07:27