



Local 306 Time Claim Info

This packet is designed for our members on how to submit time claims for agreement violations and answer questions about time claims. Of course, not every question can be answered by this packet, so please contact a Local Chairperson, another experienced member, or reference your agreements if you need further assistance.

A time claim is a way to enforce our collective bargaining agreements, which really means that you are helping your Union keep the railroad honest about how agreements are interpreted. Communicating with timekeeping by issuing a 'heat ticket' does not substitute the need for entering a time claim.

Submitting a claim can be done either on your working time slip (on your tie up screen) or in CMTS as a non-service claim. Please use the working time slip when possible to link any penalty claims directly to the working trip. There is no specific wording that must be used when filing a claim, but the following pages will help guide you with suggested information. The best thing to remember is that you are telling a story to someone who does not know the facts and may not even know what your job does, so include as much info as you can. Explain the WHO, WHAT, WHEN, WHERE and WHY of what happened. Also, if a manager tells you to enter a claim, include their name and the time in your claim to show that the railroad knew that they were violating the collective bargaining agreement.

Finally, if your claim is denied, the Local Committee of Adjustment needs you to turn it in for further processing to protect members locally and across the industry. Your Union will not give up on your claims.

TIME LIMITS

When an agreement violation occurs, you have **60 days** to submit your claim to the carrier through CMTS. The carrier then has **60 days** to deny or pay your claim - if your claim is paid partially, ask a Local Chairperson if you should pursue it further. Your Local Chairperson has **60 days** from the payroll date to appeal the claim to the carrier, so please turn them in ASAP after pay day. Don't let this lengthy process discourage you from entering claims, because those who enter valid claims regularly are well rewarded.

DOCUMENTATION

To progress your claims, the Local Chairperson needs **2 copies each** of:

- Your original time slip or non-service claim
- Your time slip for the trip worked when violation occurred – with complete FRA reporting
- Your epayroll for the pay period that shows your declined time slip – the needed denial codes are in the 'Declination Detail' section
- Any heat ticket, work order, track list, BU, wheel, conductor log, track warrant, board standing, work history, call sheet, etc. that will help to validate your claim

LOCAL CHAIRPERSON ACCESS / HEAT TICKET VIEWING

To expedite the grievance process, it is recommended that you allow your Local Chairperson access to your time slip and guarantee information. You can allow or revoke access at your discretion, but please remember that this info is only accessed to help progress claims and that we cannot access any of your personal or payroll information. When entering heat tickets, add the Local Chairperson's user ID at 'VIEWER' to attach the Local Chairperson to your heat tickets.

- Click 'Personal Info' under 'Reporting' header and check 'Allow Chairman Access' box
- Enter your local chairperson's User ID
- Click 'UPDATE'

FRA SCREEN

When you report your FRA info at tie up, it is imperative that you enter it correctly and accurately. The FRA screen is not only a legal obligation, it validates your claims by telling the railroad and FRA exactly where and when specific reporting events occurred. The FRA screen of your working time slip will make or break your claims. Please review the posted TEY Hours of Service Quick Reference Guides or search for them on the UP home page.

JURY DUTY

Advise your local manager that you are selected for jury duty. On dates that you need to appear at court, call CMS to mark off jury duty (LJ). Submit a non-service time slip for each day missed and forward your proof of attendance paper issued by the Clerk of Court to timekeeping – email: tkopsfax@up.com or fax: 402-997-3954.

“Claiming the greater of lost earnings or full guarantee while assigned to (circ7 and board) and marked off for jury duty on (date) at (time). I was compensated \$(amount) by Clerk of Court. Job I would have worked was (train ID).”

BEREAVEMENT

Call CMS to mark off bereavement (BV). Agreements provide for bereavement leave, not in excess of 3 calendar days following death of an employee’s brother, sister, parent, child, spouse or spouse’s parent. Half-brothers/sisters are covered but not step brothers/sisters, unless legally adopted. If extra bereavement time is needed, please call a Local Chairperson. Submit a non-service time slip for each day off and forward your notice from funeral home or obituary to timekeeping – email: tkopsfax@up.com or fax: 402-997-3954.

“Claiming 8 hours pay at rate of last service worked account marked off bereavement for (deceased) on (date) while assigned to (circ7 and board).”

COMPANY BUSINESS

When marked off in a company business status (rules class, safety meeting, simulator training, peer trainer, etc.) enter claim as instructed by Superintendent Bulletin. Always add comments requesting to be paid at the greater of lost earnings or 8 hours pay. It is also recommended to list the job you missed and who protected it. Enter one claim for each day marked off.

“Claiming pay class of time (from supt bltn) account attended (what event) on (date) as instructed by (manager name). Claiming greater of lost earnings or 8 hours pay for (train ID) protected by (who) while marked off for company business at the behest of the carrier.”

NEW HIRE BIT/CIT CLAIMS

Brakemen and conductors in training are allowed by agreement, if not provided by the carrier, for actual, necessary and reasonable travel, lodging and meal expenses incurred during training if required to attend training more than 45 miles from home terminal. The 3 claims available for new hires are for personal auto mileage, actual deadheading time, and per diem.

PER DIEM ALLOWANCE

Enter one per diem claim daily when sent away from home for training.

“Claiming daily per diem meal allowance while assigned for brakeman/conductor training on (train ID) on (date) as instructed by (manager name).”

PERSONAL AUTO DEADHEAD

Enter one deadhead claim each for driving time to and from away from home terminal when sent for training. Do not use circ7 locations, enter city and state.

“Claiming ____ hours straight time for deadheading separate and apart via personal auto from (location) to (location) on (date) for brakeman/conductor training as instructed by (manager name).”

PERSONAL AUTO MILES

Enter one personal auto mileage claim each for driven miles to and from away from home terminal. Do not use circ7 locations, enter city and state. It is also necessary to enter the actual miles driven on the first page of the claim in the box provided near bottom of screen.

“Claiming ____ miles at current mileage rate account drove personal auto from (location) to (location) on (date) for brakeman/conductor training as instructed by (manager name).”

GUARANTEE, FR and BONUS DAY

We recommend that you enter a guarantee claim following each pay half and a bonus day claim following each pay half where you have been marked up for the entire period. Claims for federal requirement (FR) are covered by this entry if you would not have been called or your turn would have not worked while you were in FR status. If in FR on a regular assignment, enter a claim.

Remember that when bumped, trainmen have 3 hours to mark up before your bonus day and guarantee are affected and 24 hours before you lose your bump. If you mark up by 11:00 hours, you are due that board's guarantee for the day.

"Claiming full guarantee for first/last half of (month and year) while assigned to (circ7 and board – ex DM136 XK51 Conductors Extra Board)."

"Claiming bonus day due for first/last half of (month and year) while assigned to (circ7 and board – ex DD053 RT50 Conductors Freight Pool)."

RESTRICTED SENIORITY

If your seniority is restricted, please enter a time claim for each day you are inconvenienced. The most important part to these claims is explaining how your seniority was restricted – the more info the better – tell your story.

"Claiming 8 hours account my seniority was restricted on (date) at (time). (Explain what happened to inconvenience you - include jobs, terminals, names and times.)"

EXTRA BOARD STAFFED IMPROPERLY

Any time that you are called to protect an assignment that an extra board should be protecting, enter a time claim for a seniority restriction and advise a Local Chairperson so that CMS can be contacted about the improper extra board staffing and so that a time claim can be entered for the senior FG/AWTS employee at the terminal, proving that they should be not furloughed.

"Claiming 8 hours account my seniority was restricted when the carrier ordered me for assignment (train ID) on (date) at (time) at (circ7). I was working (circ7 and board) which is not assigned to cover that work. This is a violation of my seniority by forcing me to cover assignments because the carrier has not properly staffed the extra board."

EXCESSIVE SHOVE

If you are instructed to make a shove that you believe is excessive (about 1 mile and over public grade crossings), enter a claim to protect both your and the public's safety. If there are alternatives to making an excessive shove, we encourage you to use them. When entering claim, use exact locations like track numbers, mile posts and control points and include times moves started and ended.

"Claim 8 hours account while assigned to (train ID) on duty (date) at (time), I was instructed by (manager) to perform an excessive shove. I rode the side of car (car #) with no whistle or way to control the air. (Explain what you did – what moves were made at what times and what locations – try include how many public grade crossings you shoved over.)"

MOBILE WORK ORDER / GUI DATA ENTRY

It is a trainman's duty to report the work performed by his/her train, but when instructed to log in to the Mobile Work Order or GUI so that either you or a manager can complete the work of another train that you did not relieve or handle, it becomes incidental work and a time claim can be entered.

"Claiming 8 hours account was instructed by (manager) to perform incidental work on train other than I was assigned. I was required to complete the MWOD/GUI work order reports for train (train ID) while assigned to and working the (train ID) on duty (date) at (time) at (location). (Explain what data you entered.) Data entry took place from (time) to (time). I tied up at (time)."

LOCKER CLAIM

If you want a locker at home or away terminal, you must request one from a manager. You are entitled to a locker by agreement. If you cannot locate a locker, contact a Local Chairperson who will help you write a letter to management that will also accompany each of your claims. Trainmen lockers are to be no smaller than 18"x21"x72". File a claim for each day that you do not have a locker provided that your turn was at that terminal.

"Claim 8 hours account not being provided a locker on (date) at (city and state) terminal while assigned to (circ7 and board). I had requested a locker from (manager name) on (date)."

BAD ORDER TOILET

If you are instructed to operate on a locomotive with a bad toilet, ask all crew members to enter a time claim and ensure the bad order locomotive is correctly reported by engineer at tie up.

“Claim 8 hours account being instructed to operate a locomotive with a non-complying unsanitary toilet while assigned to (train ID) on duty (date) at (time) at (location). I notified (manager) at (time) that (locomotive#) was a non-complying unit due to fumes and sewage, but was told to take the train ‘as is’.

BAD ORDER OR NO FRIDGE / ICEBOX

If you are instructed to operate on a locomotive with either a bad order or no fridge / icebox, ask all crew members to enter a time claim and ensure that the bad order locomotive is correctly reported by engineer at tie up.

“Claim 8 hours account being instructed to operate a locomotive with a non-complying refrigerator/icebox while assigned to (train ID) on duty (date) at (time) at (location). I notified (manager) at (time) that (locomotive#) was a non-complying unit due to no method of sanitarily storing cold water and lunches, but was told to take the train ‘as is’.”

NO WATER OR SUPPLIES

If you are instructed to work in road or yard service with no water or supplies available, please enter a time claim as the carrier is to provide these for you.

“Claim 8 hours account being instructed to operate with no bottled drinking water while assigned to (train ID) on duty (date) at (time) at (location). I notified (manager) at (time) that there was no bottled water/supplies but was told to work anyway.”

FIVE DAY WORK WEEK

Yard employees are entitled to overtime rate if called for a 6th start in their work week. Extra board employees are entitled to overtime rate for their 6th yard start in 6 days. The overtime rate usually shows up at tie up, if not file a time claim.

“Claiming 8 hours at overtime rate account was called to protect yard job (train ID) on (date) at (time) at (location). I was ordered for my sixth yard start and am due the overtime rate for working that assignment.”

DOUBLING BACK IN YARD SERVICE (22 ½ HOUR RULE)

When called for your second yard service start within 22 ½ hours (second on duty time is within 22 ½ hours from first), you are due overtime rate for the full shift. The overtime rate usually shows up at tie up, if not file a claim. Extra board employees can claim this every other start.

“Claiming 8 hours at overtime rate account was called to protect yard job (train ID) on (date) at (time) at (location). My last tie up was (date) at (time). I was ordered for my second yard start in 22 ½ hours and am due the overtime rate for working that assignment.”

YARD SERVICE OUT OF SWITCHING LIMITS

When assigned to yard service your duties will be performed within the established switching limits, or you are probably doing road work. If you are told to stage a train outside of switching limits, enter the following time claim. If you believe you have a claim for other yard switching limit violations, modify your claim based on the example or ask a Local Chairman for assistance. Mason City area switching limits are MP195.5 (Albert Lea Sub), YL3.4 (Fairmont Sub) and MP189.4 at the Flint south siding switch (Mason City Sub).

“Claiming 8 hours account being instructed to work outside of switching limits while assigned to yard job (train ID) on duty (date) at (time) at (location). I was instructed by (manager) at (time) to take train (train ID or car #) from (location) to (location) which was outside of the scope of my yard service assignment (explain the work you did). I departed switching limits at (time) by (train/cab/etc) and arrived back in switching limits at (time) by (train/cab/etc).”

YARD START BRACKETS

Regularly assigned jobs have fixed start times. Where 3 eight hour yard shifts are worked in continuous service, the start times for an assignment on 1st shift will be between 06:30 and 08:00 hours, 2nd shift between 14:30 and 16:00 hours, and 3rd shift between 22:30 and 00:00 hours. Extra yard assignments will also be called in these bracketed times. If called outside of the bracket, file a time claim.

“Claiming 8 hours account was called to protect job (train ID) on (date) at (time) at (location). I was ordered for a start time outside of the agreed upon start brackets of 0630 to 0800 hours, 1430 to 1600 hours, and 2230 to 0000 hours. Mason City Terminal has 3 yard shifts in continuous service.”

YARD MEAL CLAIM

Per agreement, yard crews are allowed to take an on property 20 minute meal period to begin no sooner than 4 ½ hours and to end before 6 hours after on duty time. You are also entitled to a second meal period between 4 ½ and 6 hours after your first meal period ends. We encourage you to take a meal period in the bracketed times. Enter the appropriate time claim if you are instructed by carrier official to take a late meal or to not take a meal period. If the meal period is allowed by instructed to begin when locomotive stops and end when locomotive starts, please enter an improper meal period claim.

“Claiming 8 hours account was instructed by (manager) to take meal period outside of the bracket while assigned to yard job (train ID) on duty (date) at (time) at (location). I began meal period at (time) and ended at (time). (Explain why meal was taken late.)”

“Claiming 8 hours account was denied a meal period by (manager) while assigned to yard job (train ID) on duty (date) at (time) at (location). I tied up at (time) and was not provided with a meal period during my entire tour of duty.”

“Claiming 8 hours account meal period was improper as instructed by (manager, Supt. Bulletin, notice, etc.) while assigned to yard job (train ID) on duty (date) at (time) at (location). (Add times when stopped locomotive, when came in depot, when ate, when left depot, when moved locomotive to substantiate claim).”

WAY FREIGHT AND ROAD SWITCHER MEAL CLAIM

Way freights and road switchers are entitled to stop for a meal period during tour of duty. You must inform dispatcher upon taking up service but before departing terminal of your intention to take sufficient meal period and ask dispatcher while en route to stop for meal at a requested location. If advised to only stop for 20 minutes, please enter an improper meal period claim.

“Claiming 8 hours account was denied meal en route while assigned to (train ID) on duty (date) at (time) at (location). Before departing terminal I notified (dispatcher initials) at (time) of meal en route request. Meal period was denied by (dispatcher initials) at (time) when I asked to stop train to eat at (location).”

“Claiming 8 hours account meal period was improper as instructed by (manager, Supt. Bulletin, dispatcher, etc.) while assigned to (train ID) on duty (date) at (time) at (location). (Add

instructions, times when stopped locomotive, when ate, when moved locomotive, etc. to substantiate claim).”

ROAD SERVICE DOING YARD WORK

When assigned to road service, you are limited in the duties you can perform inside of switching limits. If you are instructed to perform work inside of switching limits not in connection with your train when yard jobs are on duty, enter the following time claim. If you believe you have a claim for other violations, modify your claim based on the example or ask a Local Chairperson for assistance.

“Claiming 8 hours account being instructed to perform yard work inside of switching limits while assigned to road service job (train ID) on duty (date) at (time) at (location). I was instructed by (manager) to (explain what you did). I performed these duties from (time) to (time), which was outside the scope of my assignment when yard jobs were on duty to perform the work.”

CALLED FROM ROAD TO PROTECT YARD OR LOCAL

If you are called off of a road board to protect a way freight or yard job, you are entitled to the difference in earnings (be made whole) for the road trip you missed and the way freight or yard job you worked.

“Claiming greater of make whole lost earnings or 8 hours account was called off of (circ7 and board) to protect yard job (train ID) on duty (date) at (time) at (location). I missed road assignment (train ID) on (date) at (time) with (name) protecting the job.”

ROAD RUN AROUND

When you are first out and rested, you may have a run around claim due if your pool or extra board turn is called out of sequence. Also, the first person called is to be the first to depart the terminal for both road trains and deadheads, so enter a claim if you depart out of turn. Please tell your brother/sister that they may have a claim due if you are called or depart around them.

“Claim 8 hours account of being run around while assigned to the (circ7 and board). I was first out and rested when I was run around by (who) called for (train ID) on duty on (date) and (time). I was subsequently ordered for (train ID) on duty on (date) and (time).”

DM136 RT54 and RE54 TRIP RATES

The 2002 National Agreement called for a 'pay system simplification' on all through freight service. Trip rates accumulate overtime after miles have been run off. RT54 Conductors and Brakemen accumulate both rail and rubber miles for each trip, so calculate the total miles for the trip and claim the appropriate tier rate at tie up. As Engineers do not get rubber miles, they have different location qualifiers so that the second and third tiers are reached at approximately the same locations. Contact a Local Chairperson with questions. Current basic daily rates for DM136 pools are:

under 230 miles	RT54 = \$278.62	RE54 = \$329.97
230 – 299 miles	RT54 = \$487.83	RE54 = \$553.38
over 300 miles	RT54 = \$609.17	RE54 = \$687.86

IN/OUT TERMINAL, MULTIPLE TRAINS, SHORT TURNS, INITIAL/FINAL TERMINAL DELAY & INTERDIVISIONAL SERVICE

If you do not have a trip rate, you are to operate in the service you are called for. If you are not called for short turnarounds or multiples, you are to operate one train only and cannot go back out of the terminal once you arrive without penalty. If called for dog-catching (DT54) / Short Turns / Multiples you are paid the greater of time or miles, you must get train within 25 rail miles from terminal and round trips must total no more than 100 miles within the 25 mile zone. You cannot depart the terminal after 8 hours on duty without penalty. If you operated in ID service, the agreed mileages and tie up locations must be followed – if instructed to operate past a crew change location you are due the miles to the next crew change – if you are instructed to operate off of your ID district you are due mileage an 8 hour penalty for leaving your district – and you are to tie up at home, not away. Please contact a Local Chairperson with questions. Correct FRA reporting is vital for substantiating these claims.

“Claiming the greater of lost earnings or 8 hours account was not called for multiple trains but was instructed to operate (in and out of terminal / multiple trains / etc) while assigned to (train ID) on duty (date) at (time) at (location). I operated outside the scope of my assignment when (explain what happened, who told you to do so, locations and times are imperative).”

“Claiming 8 hours account departed the initial terminal after eight hours on duty. I was assigned to (train ID) on duty (date) at (time) at (location), and was instructed by (manager/dispatcher) to operate (explain what you did) departing at (time).”

Initial terminal delay is paid on a per minute basis for time in excess of 75 minutes from reporting for duty until the time the train leaves the terminal. Initial terminal delay is only for the first trip of your tour of duty. The wording ‘leaves the terminal’ means when the train starts on its road trip. When overtime accrues during any trip, the greater of overtime or initial terminal delay will be paid.

Final terminal delay means all time in excess of 60 minutes beginning at the time the engine reaches the switch/signal used for entering the final terminal yarding track until finally relieved from duty. After overtime commences, final terminal delay shall not apply and overtime will be paid until finally relieved from duty. When tour of duty is composed of multiple trips, final terminal delay is computed only for the last trip.

DID NOT GO OUT ON ASSIGNMENT

Any day that your regular assignment does not go out or works without you and you are not laid off as unavailable, enter this claim.

“Claim greater of lost wages or 8 hours pay on (date) account while assigned to (train ID) I did not go out on my regular assignment. (Who) operated my assignment on this date.”

OUT OF BULLETINED LIMITS / OUT OF ASSIGNED START TIME

If instructed to operate outside of your trains bulletined limits or to begin your tour of duty outside of your bulletined start time, you probably have a penalty claim. Please contact a Local Chairperson for assistance in writing your claim. Make sure to record when you depart from and arrive back in your bulletined limits. Copies of call sheets, track warrants, conductor logs, reader lists and train lists are valuable evidence supporting the burden of proof that you were mishandled. Assignment bulletins must be specific as to the start time, on/off duty locations, home/away terminals, rest days, territory worked daily, etc.

“Claiming 8 hours account being instructed to operate outside of bulletined limits while assigned to (train ID) on duty (date) at (time) at (location). I was instructed by (manager) at (time) to

operate outside of bulletined limits to (explain the work you did). I departed (limit) at (time) by (train/cab/etc) and arrived back at (limit) at (time) by (train/cab/etc)."

FIREMEN CLAIMS

Firemen-helpers in classroom training at points away from home will be allowed actual and necessary travel, meal and lodging expenses. When undergoing on-the-job training, firemen-helpers will receive lodging and meal allowances. Enter any claims daily, listing train ID and name of engineer you trained under.

YARD ENGINEER - NO BAY WINDOW

Yard service engineers are entitled to a bay/storm window on the controlling locomotive of the consist used for the preponderance of the shift between October 15 and April 15. Engine numbers must be CNW, UPRR or SP. SMART-TD will continue to process these claims at all points other than Clinton, IA as per arbitration award.

"Claiming 8 hours account was instructed to operate locomotive while switching yard tracks with no box or storm window while assigned to yard job (train ID) on duty (date) at (time) at (location). (Locomotive ID) was the controlling unit in a multiple unit consist used for preponderance of shift. I notified (manager) of the absence of the window at (time) and was instructed to operate locomotive 'as is'."

MMCMK CLAIMS

All crew members assigned to MMCMK/MMKMC turns should enter a claim for improper bulletin daily and for operating off district and operating into or out of Mankato each day you are called. If your MCMK meal period is denied or if you do not go out on your assigned turn, please enter those claims as well.

"Claim 8 hours pay on (date) account regular assignment Conductor DM136 LT33 (turn TL01 or TL02) was bulletined improperly."

"Claim 8 hours pay on (date) account while assigned as Conductor DM136 LT33 MMCMK, I was instructed to operate my way freight assignment off district, working between Midwest DM136 and Central 5 SX082."

“Claim 8 hours pay on (date) account while assigned as Conductor DM136 LT33 MMCMK, I was instructed to operate my local way freight assignment between DM136 and SX082. SX082 is not an on/off duty terminal location.”

HOLIDAYS / PERSONAL LEAVE DAYS / VACATION DAYS

Time claims for Holidays, Personal Leave days and Vacation days should be automatically entered by CMS/Timekeeping, but we encourage you to watch closely to ensure that the proper pay rate is listed and that you are paid if due. If you are not paid correctly, ask a Local Chairperson to review your pay and to help you enter a time claim if needed.

Holidays: The eleven (11) annual holidays are New Year’s Day, President’s Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day After Thanksgiving, Christmas Eve, Christmas Day, New Year’s Eve.

To qualify for holiday pay, you need to have had ten yard starts in previous thirty days and to work or be available to work on the day before and day after the holiday, corresponding to your rest days or vacation days. Pay rate based on basic day from last class of service performed. If you qualify for holiday pay while on an extra board the timekeeper will take a PL day from you, please ask a Local Chairperson about a time claim if this arises.

Personal Leave Days: Three (3) days for first year of service, then qualify for additional days subsequent to the anniversary date of: five (5) days after fifth anniversary, seven (7) days after tenth anniversary, nine (9) days after fifteenth anniversary and eleven (11) days after twentieth anniversary.

Pay rate based on basic day from last class of service performed. A maximum of eleven (11) combined personal leave days and holidays can be claimed per year. Engineers need 180 equivalent starts to qualify for PL days in the following year.

Vacation Days: Can qualify for one (1) week for first year of service, then for additional weeks subsequent to the anniversary date of: two (2) weeks for second anniversary, three (3) weeks after seventh anniversary, four (4) weeks after seventeenth anniversary and five (5) weeks after twenty-fifth anniversary.

Annual miles run required to earn vacation is 24,000 miles. Weekly vacation pay rates are based on 1/52nd of previous year’s earnings and are pro-rated to the five or seven day rate as needed. Extra boards, assigned pools and jobs running miles get seven single vacation days. Assignments running a 100 mile basic day get five single vacation days.