

Job Annulled/Not Rested

The claim applies to both freight and commuter regular assignments who were not set back in accordance with Rule 33 or were annulled outright.

The employee needs to help their claim on the previous day by using the comments section of their FRA reporting screen and state why they are tying up so late. Stating "waited for van" or "waited for ride to tie up" goes a long way in showing that the Carrier was at fault for not being rested.

An example appeal to this denied claim would be:

"It is the position of the Organization that this claim is supported by the schedule rules and should be paid accordingly. While regularly assigned to (Job ID), the Claimant submitted his claim for lost earnings account not allowed to go out on his assignment. Due to the Claimant not being rested to work his assignment an extra board crew was ordered for the normal on duty time of (time). This situation would have been resolved had BLE contract rule 33(d) been used and the Claimant's assignment set back to the time rested and available to perform his work as is done in the same circumstance with other road switchers. The Claimant was not rested due to no fault of his own, (add in any specific info about why he wasn't rested). Claim is premised on BLE Contract Rule 17(a)."