

Meal Periods

The majority of these claims result from yard jobs and way freight/road switchers, and both scenarios have some similarities as well as differences with the information required.

The governing rules are the biggest difference, for road jobs such as way freights and road switchers Rule 57 outlines the meal period. For yard jobs it is a three-part rule contained within Rule 22 (m), (n), and (o). For road assignments the request for a meal should be immediately made with the Dispatcher when going on duty; the yard jobs are not required to make an initial request. Both should request their meal between four and a half and six hours on duty and make a note of who they requested it with, either name or initials.

An example appeal for this 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 working the (Job ID) the Claimant submitted his claim for 8 hours for being denied a meal period during his tour of duty. The Claimant notified (name or initials) upon going on duty of their desire to take a meal period. The Claimant was denied a meal period at (time), by (name or initials). The Claimant worked (total time on duty) without a meal period. Claim premised upon BLE Contract Rule (57 or 22 M, N, or O)."

Note: This claim also applies to commuter service when there is not an hour break in service or more, and would be claimed the same way with the addition of BLE Rule 3(b). Additionally, you would also need to show the member's FRA reporting screen and a crew sheet, if possible, showing the job has insufficient time for a meal period.