



WLSB

APRIL 2008

Brothers and Sisters,

This may not apply to all, but as you are aware, the FRA standard for acquiring clean suitable lodging is thirty (30) minutes after tie up. There has been a rash of violations lately where this standard has not been met.

What is the remedy?

First, call CMS and have your ***_tie up adjusted_*** to the time you acquired your lodging.

Second, make out a non service claim claiming the ***_additional time_*** (OT) up to the new adjusted tie up time.

Third, make out a second non service claim for an ***_8 hour penalty_*** due to the delay in obtaining your lodging within 30 minutes. Your claim should reflect as much of the following information as applicable to the facts of the incident.

Penalty claims should be written like this

***_CLAIMING 8 HOURS PENALTY PAYMENT ACCOUNT AFTER WORKING TRAIN (FULL SYMBOL ID) AND TIE UP AT (TIME AND DATE) I WAS DELAYED OVER 30 MINUTES IN OBTAINING LODGING DUE TO....use one of the following with the PLB case#**

*** DELAYED WAITING ON CARRIER PROVIDED TRANSPORTATION. I WAS PICKED UP (LOCATION AND TIME) AND ARRIVED AT THE HOTEL AT (TIME) AND PROVIDED A ROOM AT (TIME).**

*** DELAYED WAITING ON A CLEAN SUITABLE ROOM AT LODGING FACILITY. I WAITED AT THE HOTEL FROM (TIME) UNTIL (TIME) WHEN I WAS PROVIDED A ROOM.**

*** DELAYED DUE TO TRANSPORTED TO A SECOND LODGING FACILITY (LOCATION AND NAME) UNDER INSTRUCTION OF (CARRIER OFFICER NAME AND POSITION) DUE TO THE PRIMARY LODGING FACILITY HAVING NO VACANCIES. TRANSPORTATION FROM THE PRIMARY LODGING FACILITY TO THE SECONDARY LODGING FACILITY OCCURRED BETWEEN (TIME YOU LEFT FIRST HOTEL) AND (TIME YOU LEFT SECOND HOTEL). ROOM WAS PROVIDED AT (TIME).**



WLSB

APRIL 2008

REFERENCE

PLB 6312, CASE 269, AWARD 269, DATED 7/28/07, FRA MEMORANDUM FOOD AND LODGING AT DESIGNATED TERMINALS & H.O.S. INTERPRETATION DATED 2/3/04 AND FRA MEMORANDUM OF 12/30/1990 AND FOR VIOLATION OF:_*

**

ENGINEERS USE:

UPWL ENGINEERS AGREEMENT 11/01/1982, SECTION 8(g) - ARTICLE 30.

**

TRAINMEN USE:

UTU CONDUCTOR & TRAINMEN AGREEMENT, APPENDIX DATED JUNE 12, 1974, GEN 2-46-2-CT B24

**

THE CARRIER WILL DECLINE THESE CLAIMS, I AM SURE, BUT THEY WILL BE PROCESSED AND PROGRESSED THROUGH THE GENERAL CHAIRMAN'S OFFICE.

Tony Dimond, Chairman
WLSB/BLET/IBT
Nuclear Policy Analyst
DIV. 176 LR.
E 9775 Buckhorn Rd.
Reedsburg, WI 53959
tdjcts@email.msn.com
(608)415-6020 home/office
(608)448-8175 cell