

United Transportation Union

GENERAL COMMITTEE OF ADJUSTMENT
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY
(COAST LINES)



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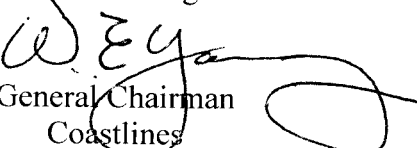
July 28, 2005

D.M. Dealy
Vice President Operations
2600 Lou Menk Dr.
Ft Worth TX, 76131

Mr. Dealy,

Attached is a memo distributed by California Division General Manager Michael Shircliff. This office completely and undeniably protests this new "wooden and rigid" policy that has been placed into effect. This new interpretation is in direct conflict with the BNSF'S original policy. This office will not stand by idly as our members are abused.

To think that the BNSF would prefer that an individual report to work when they are sick rather than to allow them seek the required medical treatment, because they fear that they could be in violation of the attendance guidelines is utterly preposterous. Due to the serious nature of this situation I request a meeting in my office as soon as possible.

W.E. Young

General Chairman
Coastlines

Cc. Paul C.Thompson, UTU International President
Rick Marceau, UTU Assistant President
David Hakey, UTU Vice President
All UTU General Chairman BNSF
John Fleps, Vice President, Labor Relation BNSF
Gene Shire, General Director, Labor Relations BNSF
All Coastlines Local Chairman

Encl: BNSF Memo

Sent: Friday, June 17, 2005 3:06 PM
To: OPR DL NorCalOpr; OPR DL Barstow Terminal Managers; OPR DL LATMGR; OPR DL Sou-
Cal; OPR DL WATM
Cc: OPR DL Cal Div Sr Mgrs
Subject: FW: Attendance - Doctor Slips - Excused

-----Original Message-----

From: Rogerson, David L
Sent: Friday, June 17, 2005 3:03 PM
To: OPR DL Divn Gen Mgr; OPR DL Divn Gen Dir; OPR DL DOAs; OPR DL Term Supts; OPR DL Supt Ops
Cc: Birmingham, Vicky G
Subject: Attendance - Doctor Slips - Excused

As info:

An ongoing audit of remarks and handling in the TY&E attendance system has identified instances of employees absenteeism being excused from compliance with the attendance guidelines because they provided a slip from their doctor. Providing a doctor note to cover a lay off does not excuse the absence but only confirms that the employee did see a medical practitioner. This information may or may not be a consideration as you determine attendance handling, but it is never the determining factor for choosing not to discipline an employee for attendance.

Employees are expected to be full time employees and to manage their allotted time off. Time off for being sick is included in their allocation. Having said that, as you review each employee's situation and take into consideration their attendance and work history that is provided for you in the system, you may determine an employee does not warrant an investigation for their current attendance exception. If this is the case, you have the NDIS code that can be used. If you use this code, you should be sure to include all of this information in the comments line of the file.

Here are a couple of examples of appropriate handling:

(1) Employee A is out of compliance for this current 3-month rolling period by 4 days of LOS. The employee advises you that he had a specified illness and you do not doubt the truth of his statement. In reviewing the employee's attendance and work history, you note that for the last two years, the employee has been out of compliance only 1 other time several months back (in other words, he had been in compliance 23 out of 24 periods). This employee normally has excellent attendance. In this case, you would more than likely want to mark the file NDIS and make comments accordingly. However, you should advise the employee that this is a 3-month rolling system and their future month layoffs should decrease to compensate for this current period non-compliance.

(2) Employee B is out of compliance for this current 3-month rolling period by 4 days of LOS as well. The employee provides you with a doctor's note indicating he had an illness. In reviewing the employee's attendance and work history, you note that this employee is out of compliance with a degree of frequency. He has even brought you doctor's notes in the past concerning his past LOS and SIF layoffs. In this case, you would continue with calling an investigation on this employee. The doctor's slip is nice to have, but it doesn't relieve them of attendance guideline compliance.

The bottom line to the above is that to mark a file NDIS on a single occasion for a bona-fide illness for an employee with exemplary attendance is appropriate. Marking files NDIS for employees who continue to be out of compliance is not - even if they have a doctor's note every time. In either case, individual days are never to be excused because of a Doctor's Note.

Please Pass this info on to all who review attendance for the proper handling