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February 05, 2010

BNSF Railway Co.
CHICAGO DIVISION

GENERAL NOTICE No. 176

TO ALL CONCERNED,

SUBJECT: CAB CONDITIONS
SUBDIVISION: ALL

Cab Condition Claims-and Prompts

At former BN locations, claims involving the condition of our locomotive cabs are among the most frequently filed. Both engineers and ground service personnel can file such claims, and a proven violation results in a two-hour penalty payment. This piece will address the agreement requirements concerning locomotive cab condition and how to file a valid, payable cab condition claim (as distinguished from one that is incomplete and that will be declined as a consequence).

When cabooses were eliminated under the terms of 1982 UTU National Agreement, Arbitration Board 419 (and corresponding BLE agreements) set forth the features that the locomotive cab was required to have in road service. Those requirements include adequate protection from weather elements, a cooling device, water in sealed containers, a sanitary toilet and for conductors, an adequately lit writing surface. Those same requirements apply to a limited number of yard jobs, those meeting both of the following requirements: the yard job must 1) be a transfer movement, and 2) be required to ride the side of a car in excess of one (1) mile.

First, when a crew member believes that there is a defect relating to the requirements, he or she must report it to the proper authority at the terminal prior to the start of their trip. Most often, the situation will then be fixed or resolved. Sometimes the situation isn't resolved, and then the crew member may submit a claim upon tie-up.

Employees submitting a claim for a violation of these requirements, for a perceived cab defect, must use constructive code CC - Cab Conditions. An attempt to file such a claim generates a form that contains several fields, and they all must be completed for the claim to be considered for payment. The fields (and how they should be filled out) are:

Unit ID & Number: Lead locomotive number for which you are claiming the CC

Unit Defect: Enter the defect category: Weather-stripping; Fridge, Desk, Desk Light etc.

Boarding time: Specify the time you boarded your unit

Time Reported: Specify the time you reported the cab defect

Time Departed: Specify the time you departed on your train

Reported To: Specify the person the cab defect was reported to

Defect Description: Describe the defect in detail. Additional information necessary to comply with your Division's Notice may be supported here.

Who Rode Car?: Applicable in Yard Service Only - Name of person riding the side of the car

Transfer Svc Y-N: Applicable in Yard Service Only - Performing transfer service?

Begin Milepost: Applicable in Yard Service Only- The beginning MP of the movement

End mile post: Applicable in Yard Service Only - The ending MP of the movement

Adverse Cab Cond?: Specify the location of the defect, and, for weather-stripping problems, see the special instructions just below.

For defective weather-stripping or defective refrigerator/cooler reports the employee must also supply the following information:

Weather-stripping = Please specify the location of the defect, what elements existed in the cab that produced inadequate protection, and the current weather conditions that caused the claim to be filed. (Provide details in the Adverse Cab Cond field)

Refrigerator or cooler = Please specify what prevented the device from adequately cooling drinking water. (Provide details in the Defect Description field)

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