# BNSF Railway

## TY&E Attendance Guidelines Training

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**Updated January 2018**

Reason for Update:
- PWS Threshold (page 12)

# BNSF Attendance Guidelines

- Why we have guidelines
- Important notes about the guidelines
- How the guidelines work
- Thresholds
- Discipline progression

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# BNSF Attendance Guidelines

## Why we have guidelines

- To ensure that we are able to meet the expectations of our customers to move their freight in a timely manner
- Assigned rest days, work/rest cycle agreements, RSIA rest, layover days, and agreement-provided compensated days off are available to you for personal business
- Additional time off over and above what's mentioned in the bullet point above is established generally to cover intermittent illness of employee of family members not covered by other avenues

# BNSF Attendance Guidelines

## Important notes about the guidelines

- Additional time off over and above rest or covered time off must be earned and used appropriately
- The guidelines seek to establish a potential threshold (a boundary) for additional time that an employee "might" lay off; however, it is the employee's responsibility to maintain the appropriate level of availability to perform full time service
- It may not always be advisable for an employee to lay off any or all of a potential threshold, as limiting work/available time may cause an employee to fall below an acceptable service performance level
    - Using covered and uncovered layoffs in a manner which seeks to inappropriately minimize being called for service, or maximizing guarantee while minimizing call opportunity, should be avoided

# BNSF Attendance Guidelines

## How the guidelines work

- The basic premise of the guidelines is to set a "threshold" boundary for uncovered layoffs
- The layoff threshold is the amount of time you might lay off in a period (remember it is your responsibility to ensure you are meeting an acceptable service performance level)
- Your threshold is based on the amount of time you are otherwise marked up and available for service
- Your layoff threshold depends on the type of assignment you hold (as rest days are considered) and how much "excluded time" you observe
- Compliance is measured on a rolling three-month period (although each month is figured independently); the three-month rolling basis applies regardless if you have been in active service for the full three months

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## Excluded Time

- Your layoff threshold is earned based upon the time you are otherwise marked up and available for service
- Some time away from work is considered excluded time; you do not earn any threshold for excluded time
- Excluded time includes, but is not limited to, vacation, paid personal leave days, medical leave, FMLA, time on the bump board, time on work retention and furlough boards, travel time to new assignment, etc.
  - Note: time on bump board will count as a layoff for employees subject to call if there is a failure to take notification for greater than 10 hours
- Excluded time does not count as a layoff, but the time will ultimately lower your overall layoff threshold

# BNSF Attendance Guidelines

## Layoff Thresholds – 05/02 and 06/01 service

- 5-day service assignments (assignments working 5 starts with 2 rest days, 05/02 extra-boards, daily mark, etc.) may earn 1 "any day" per month
  - Excluded time will reduce this threshold
  - You must be marked up and available for service at least 16 calendar days in a month in order to earn the 1 "any day" (otherwise the threshold is 0)
  - Note, to ensure understanding, 6-day assignments that work 5 days/starts a week, with 1 RSIA day and 1 rest day, get 1 "any day" per month
- 6-day service assignments (assignments working 6 starts with 1 rest day) may earn up to 2 weekdays (WD) and 1 weekend (WE) day per month
  - Excluded time will reduce this threshold
  - WD – you have to be available at least 16 WD to earn the 2 WD days; 8-15 earns 1 WD, 0-7 earns 0 WD
  - WE – you have to be available at least 6 WE days to earn the 1 WE day off; 0-5 earns 0 WE
  - Rest days are included as available time

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# BNSF Attendance Guidelines

## Layoff Thresholds – 14/01 service

- 14/1 assignments may earn up to 3 weekdays (WD) and 2 weekend days (WE) per month in addition to their rest days
  - Excluded time will reduce this threshold
  - WD – you must be available at least 18 WD per month to earn 3 WD; 12-17 earns 2 WD ; 7-11 earns 1 WD and 0-6 earns 0 WD
  - WE – you must be available at least 8 WE days to earn 2 WE days; 5-7 earns 1 WE; 0-4 earns 0 WE
  - Rest days are considered available time

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## Yardmasters

- Regularly assigned and GREB yardmasters get one "any day" per month
- Extra list
  - TY&E employees that are extra list Yardmasters are contractually obligated to protect Yardmaster service even when on rest days; however, we have provided the option for employees to LYR up to two times per month on rest days (the system will generate a threshold to offset these two layoffs – also, LYR does not count against any guarantee)

# BNSF Attendance Guidelines

## Miscellaneous Assignment Thresholds

- Suburban Services assignment with "rotating" rest days – 5/2 and 6/1
  - Maximum threshold is 1 "any day" per month
- 03/04 assignments
  - Maximum threshold is 1 "any day" for a 3-month rolling period (1/3 day per month)
- 04/03 assignments
  - Maximum threshold is 1 "any day" for a 3-month rolling period (1/3 day per month)

Note: for all of the above assignments, you must be marked up and available for service at least 16 calendar days in a month in order to earn any threshold

# BNSF Attendance Guidelines

## Miscellaneous Assignment Thresholds

- **PNW Triangle assignments** may earn up to 2 weekdays (WD) and 1 weekend (WE) day per month
  - Excluded time will reduce this threshold
  - WD – you must be available at least 16 WD to earn the 2 WD days; 8-15 earns 1 WD, 0-7 earns 0 WD
  - WE – you must be available at least 6 WE days to earn the 1 WE day off; 0-5 earns 0 WE
  - Rest days are included as available time

- Ottumwa 06/02 mandatory rest cycle assignment
  - Maximum threshold is 1 "any day" per month

Note: for all of the above assignments, you must be marked up and available for service at least 16 calendar days in a month in order to earn any threshold

As a reminder, time off over and above rest days is not a "given" and is for emergency situations

# BNSF Attendance Guidelines

## Miscellaneous Assignment Thresholds

- Earned Rest 4/2 assignments may earn up to 2 weekdays (WD) and 1 "any day" per month
  - Alliance, Chaffee, Lincoln (4/3), Mandan, Sterling, Whitefish
  - Excluded time will reduce this threshold
  - WD – you must be available at least 16 WD to earn the 2 WD days; 8-15 earns 1 WD, 0-7 earns 0 WD
  - Any Day – you must be available at least 16 days to earn the 1 "any day" off
  - Rest days are included as available time

# BNSF Attendance Guidelines

## Miscellaneous Assignment Thresholds

- **PWS (Predictive Work Schedule) assignments earn 1 "any day" ****
  - **You must be marked up and available for service at least 16 calendar days in a month in order to earn the 1 "any day" (otherwise the threshold is 0)**

****Unless otherwise noted at specific location**

# BNSF Attendance Guidelines

## Unassigned Service

- In unassigned service (UN) where rest cycle boards have not been chosen for implementation, the following applies:
  - Your potential layoff threshold (boundary) will be 25% of weekdays (WD) and 25% of weekend days (WE), measured separately, in a given month
- 25% is based on the time you were otherwise marked up and available for service
- There are a number of factors that can affect your potential layoff threshold
- Your potential threshold is affected by:
  - The number of days in the month
  - The amount of time you were not marked up and available for service (excluded time)

# BNSF Attendance Guidelines

## Unassigned Service (continued)

- Let's look at a couple of months to show how the number of days in the month affects the layoff threshold (this example assumes there is no excluded time):

| September | WD | WE |
|---|---|---|
| Total Days | 20.00 | 10.00 |
| 25% | X .25 | X .25 |
| Layoff Threshold | 5.00 | 2.50 |

| October | WD | WE |
|---|---|---|
| Total Days | 23.00 | 8.00 |
| 25% | X .25 | X .25 |
| Layoff Threshold | 5.75 | 2.00 |

# BNSF Attendance Guidelines

## Unassigned Service (continued)

- Let's look at an example of how excluded time affects the potential threshold for an individual month
- In this example, in October you observed the following:
  - 7 days of vacation (5 WD and 2 WE)
  - 3 days on bump board (2 WD and 1 WE)
  - 1 paid personal leave day ( 1 WE)
  - Total excluded is (7 WD and 4 WE)

| October | WD | WE |
|---|---|---|
| Days in Month | 23.00 | 8.00 |
| Minus Excluded Time | - 7.00 | - 4.00 |
| Remaining Days | 16.00 | 4.00 |
| Multiply by 25% | X .25 | X .25 |
| Layoff Threshold | 4.00 | 1.00 |

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## Rest Cycle Boards

- The amount of time an employee is allowed to lay off outside the rest cycle is generally covered in the rest cycle agreement, with two exceptions:
  - 05/02 rest cycle agreements do not address attendance and are covered by the attendance guidelines
  - 06/02 mandatory rest cycle at Ottumwa (threshold is outlined earlier in this power point under Miscellaneous Assignment Thresholds)
- Attendance time granted outside the rest cycle is always figured on a per month basis
- Employees must be in the rest cycle all month for the rest cycle attendance provision to apply
  - Employees in a rest cycle for partial month will be considered in mixed service (MX) for the month which is covered by the attendance guidelines
  - When employees are in mixed service (MX) for the month, but all of their assignments are a combination of rest cycles and/or 05/02 assignments, the employee will be considered in mixed rest (MR) which will default to 1 any day

# BNSF Attendance Guidelines

## Mixed Service (MX)

- Mixed service is when you have various assignments within a month that have differing layoff thresholds (example, you work a 5-day assignment part of the month and unassigned extra board part of the month)
  - Exception will apply when the mixture of assignments in the month is a combination of rest cycles or rest cycles and 05/02 assignments – those will be Mixed Rest (MR) and will default to 1 any day
- In mixed service the potential layoff threshold (boundary) will be 25% of weekdays (WD) and 25% of weekend days (WE), measured separately, in a given month
- This 25% includes your rest days (in other words, any rest days observed while in assigned service count as layoffs against the 25% threshold)
- How is it measured? You start out the same as unassigned by determining the initial 25% layoff threshold – then you have to subtract all rest days observed
- The resulting threshold is the potential number of layoff days you might lay off over and above rest days

# BNSF Attendance Guidelines

## Mixed Service Calculations (Scenario 1)

- This is a straight forward calculation, and we will look at a scenario that is a little more complicated later, but in the end it is still just a matter of 25% less rest days
- The first step is to determine the initial 25% threshold in the same manner as unassigned service as follows:
  - In the month of July, there are 22 WD and 9 WE days. After removing excluded time and multiplying by 25%, this is the initial threshold result (before considering rest days):

| July 2007 | WD | WE |
|---|---|---|
| Days in Month | 22.00 | 9.00 |
| Minus Excluded Time | - 2.00 | - 1.00 |
| Remaining Days | 20.00 | 8.00 |
| Multiply by 25% | X .25 | X .25 |
| Initial Layoff Threshold | 5.00 | 2.00 |

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## Mixed Service Calculations (Scenario 1)

- Referring to the previous slide, you earned a potential 7 days off (5 WD and 2 WE); during the month you observed 4 rest days (3 WD and 1 WE), leaving a total of 3 days that you can layoff over and above rest days
- The next question, after subtracting rest days observed - is the remaining threshold on the WD or WE? The answer is dependent upon how much of your 25% you used up with observed rest days:

| July 2007 | Total | WD | WE |
|---|---|---|---|
| Initial 25% layoff threshold from previous slide | 7.00 | 5.00 | 2.00 |
| Less rest days observed | - 4.00 | - 3.00 | - 1.00 |
| Threshold to lay off over & above rest days | 3.00 | 2.00 | 1.00 |

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# BNSF Attendance Guidelines

## Mixed Service Calculations (Scenario 2)

- In this scenario, the initial 25% threshold is 7 total days (5 WD and 2 WE) – you observed 6 (WE) rest days, so the layoff potential is 1 day over and above rest days
- The next question is, what is the remaining WD/WE threshold after subtracting out rest days observed? The answer is dependent upon how much of your 25% you used up in each area
- Did you use up all of your 25% WE allotment with observed rest days? If the answer is yes, your threshold can only be on a WD

| | Total | WD | WE |
|---|---|---|---|
| Initial 25% threshold | 7.00 | 5.00 | 2.00 |
| Less rest days observed | - 6.00 | | - 6.00 |
| Time can lay off over & above rest days | 1.00 | | |
| Did you use your 25% WE time up with rest days? Yes, so can only apply time to WD | | | |
| Threshold to lay off over & above rest days | | 1.00 | |

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# BNSF Attendance Guidelines

## Mixed Service

- So, what's important in mixed service is to
  - Keep up with your 25% initial threshold for WD and WE
  - Keep up with your rest days (as rest days observed are counted as layoffs against the threshold)
- And remember this helpful rule of thumb:
  - In a month when you are in mixed service, if you have observed at least 2 WE rest days, don't lay off on the weekend (over and above your rest days) or you will exceed the potential threshold every time

# BNSF Attendance Guidelines

## Weekday vs. Weekend

- Any unpaid layoff that touches a weekend counts against the weekend, for example:
  - Lay off 11:30 Friday, mark up 11:29 on Sunday (2 WE days)
  - Lay off 13:00 Sunday, mark up 12:59 on Monday (1 WE day)
  - As such, you may be charged with 3 weekend days over a single weekend
- Exception - 30 minute grace period:
  - If you mark up by 00:30 on Saturday or lay off after 23:30 on Sunday, it counts as a weekday
- Exception – for employees on a regular 5 or 6-day assignment, WD/WE is based on the assigned start of the shift (a start at 23:00 on Friday would count as a weekday; a start at 23:00 on Sunday would count as a weekend)

# BNSF Attendance Guidelines

## Counting Days Off

- Any layoff from 0-25 hours is counted as a day (there is a one hour grace period for counting full days). The following is the progression of counting days off:

| Layoff Hours | Days |
|---|---|
| 0 - 25 | 1.0 |
| > 25 - 36 | 1.5 |
| > 36 - 49 | 2.0 |
| > 49 - 60 | 2.5 |

- However, if you are on a regular 5 or 6-day assignment and you have a layoff that spans 2 shifts, regardless of how many hours you lay off, you will be charged 2 days

# BNSF Attendance Guidelines

## Bunching Days Off

- Can we bunch days off? Yes, but you have to manage those days carefully (if you bunch in one month, you must watch the next 2!)
- Example, you are assigned to a 5 day job - under the 5 day assignment you have a potential of one any day per month
- In this scenario, you did not lay off any in October or November, choosing to take 3 days in Dec – this is OK - BUT, BE CAREFUL GOING FORWARD (see next slide)

| | Threshold Earned | Layoff |
|---|---|---|
| October | 1 | 0 |
| November | 1 | 0 |
| December | 1 | 3 |
| Total | 3 | 3 |

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# BNSF Attendance Guidelines

## Bunching Days Off (cont.)

- Refer to the scenario in the previous slide →

| | Threshold Earned | Layoff |
|---|---|---|
| Oct | 1 | 0 |
| Nov | 1 | 0 |
| Dec | 1 | 3 |
| Tot | 3 | 3 |

- In January, you decide to take another day off over and above your rest days
- You are now over the guidelines by 1 day and subject to an investigation

| | Threshold Earned | Layoff |
|---|---|---|
| Nov | 1 | 0 |
| Dec | 1 | 3 |
| Jan | 1 | 1 |
| Tot | 3 | 4 |

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# 3-Month Rolling Example

| | | Total | | | Excluded | | | Layoff Threshold | | | | Unavailable | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| MO | Service | WD | WE | | WD | WE | | WD | WE | ANY | | WD | WE |
| May | 5-day | 23 | 8 | | 0.00 | 0.00 | | 0.00 | 0.00 | 1.00 | | 1.00 | 1.00 |
| Jun | 5-day | 21 | 9 | | 0.00 | 0.00 | | 0.00 | 0.00 | 1.00 | | 0.00 | 0.00 |
| Jul | 5-day | 22 | 9 | | 15.50 | 1.50 | | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 |
| **(Threshold)** | | 66 | 26 | | 15.50 | 1.50 | | **0.00** | **0.00** | **2.00** | | **1.00** | **1.00** |

| MO | Service | WD | WE | | WD | WE | | WD | WE | ANY | | WD | WE |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Jun | 5-day | 21 | 9 | | 0.00 | 0.00 | | 0.00 | 0.00 | 1.00 | | 0.00 | 0.00 |
| Jul | 5-day | 22 | 9 | | 15.50 | 1.50 | | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 |
| Aug | MX | 23 | 8 | | 3.00 | 0.00 | | 3.75 | 1.00 | 0.00 | | 0.00 | 2.00 |
| **(Threshold)** | | 66 | 26 | | 18.50 | 1.50 | | **4.00** | **1.00** | **1.00** | | **0.00** | **2.00** |

| MO | Service | WD | WE | | WD | WE | | WD | WE | ANY | | WD | WE |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Jul | 5-day | 22 | 9 | | 15.50 | 1.50 | | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 |
| Aug | MX | 23 | 8 | | 3.00 | 0.00 | | 3.75 | 1.00 | 0.00 | | 0.00 | 2.00 |
| Sep | UN | 20 | 10 | | 0.00 | 3.00 | | 5.00 | 1.75 | 0.00 | | 2.50 | 3.00 |
| **(Threshold)** | | 65 | 27 | | 18.50 | 4.50 | | **9.00** | **3.00** | 0.00 | | **2.50** | **5.00** |

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# BNSF Attendance Guidelines

## Missed Calls, Lay off on Call, No-Shows

- If you are issued discipline or alternative handling for a LOC, EMC, or NOS, that day will NOT be counted against you in the attendance process as a layoff (status will be changed from layoff unavailable to excluded time)
- If you are not issued discipline or alternative handling, you will be held accountable for that day under the attendance guidelines as a layoff

# BNSF Attendance Guidelines

## Family Emergency & Failure to Tie-up

- **Family emergency:**
  - There is a system general notice that requires you to contact your supervisor with 24 hours of laying off FEM; should you fail to do so, you are subject to investigation for failure to comply. Any layoff for family emergency (FEM) is considered part of your layoff threshold and you are always accountable for that time off under the attendance guidelines, regardless if you have been investigated for failure to comply
- **Failure to tie-up**
  - There is a system general notice that requires you to tie-up from service and failure to do so becomes subject to investigation for failure to comply with instructions
  - Any failure to tie-up (LFT) is an attendance event and will count as a layoff regardless if you have been investigated for failure to comply with instructions

# BNSF Attendance Guidelines

## Waiting Turn

- If you mark-up following a layoff and your turn is out, any time spent waiting for reassignment to your working board (waiting turn) will be categorized as either excluded or unavailable depending on the preceding event:
  - Excluded time – mark-up preceded by excluded time event (i.e., PLD, VAC, FML, etc.)
  - Unavailable time – mark-up preceded by unavailable event (i.e., LOS, LOP, SIF, FEM, etc.)

# BNSF Attendance Guidelines

## Doctor's Excuses

- Doctor's notes are not required (nor are we soliciting them) for intermittent LOS events
- However, if you decide that you wish to provide your supervisor with a doctor's note for short term periods of illness prior to a possible attendance investigation, we will review the information on a case by case basis and take it into account when determining next steps – but, you should not have an expectation that the time will be excused under the attendance guidelines
- If you have an illness which precludes you from working for an extended period of time, you should obtain a medical leave

# BNSF Attendance Guidelines

## Violations in Overlapping Periods

- Following discipline for a period, going over the threshold in either of the next two periods will result in an attendance violation if the total days off in the following one or two months exceeds the maximum threshold for the entire three-month period. The following are examples:
  - You are disciplined for attendance for the period of Jan-Mar. For the period of Mar-May, your three-month threshold is 6 WE days. For the period, you laid off 7 WE days. You laid off 2 WE days in Apr and 2 WE days in May. You are not subject to discipline for Mar-May as the layoffs in the non-overlapping months did not exceed the three-month threshold.
  - You are disciplined for attendance for the period of May-Jul. For the period of Jul-Sep, your weekend threshold for the entire three-month period is 4 days. In the months of August and September alone (non-overlapping months), you took 5 WE days. You are subject to discipline for Jul-Sep, as the layoffs in the non-overlapping months exceeded the three-month threshold.

# BNSF Attendance Guidelines

## Military Service (National Guard, Drill, Training, State Emergencies, etc.)

- You will need to provide your supervisor with a copy of your annual training schedule, along with subsequent orders (or your LES), in order for your military service to be counted as available time
- This is necessary so that your supervisor may update your service time as available time in the attendance system; otherwise, you may have an attendance exception which is subject to discipline

# BNSF Attendance Guidelines

## ATG Discipline Progression

- The following is the progression of discipline for attendance only (assumes attendance is the only discipline on file)
  - 1st Offense — Formal Reprimand
  - 2nd Offense — 10 Day Record Suspension
  - 3rd Offense — 20 Day Record Suspension
  - 4th Offense — DISMISSAL
- Attendance combined with other disciplinary events are subject to dismissal – for example:
  - 3 Attendance and 1 Level "S"
  - 5 violations of any kind in a 12 month period
    - Example: 2 Attendance, 1 EMC, 1 LOC, and 1 Level "S"