

## CIRCULAR LETTER NO. 7

April 12, 2006

### TO ALL LOCAL CHAIRPERSONS:

Dear Sirs and Brothers:

As an on-going process in the General Chairman's office, we send out Circular Letters as circumstances dictate in regard to issues that are of importance to all of our Membership. We are requesting that you read these documents at your Union Meetings for the Membership's benefit and also place them on bulletin boards for those Members who cannot attend the Union Meeting. Incorporated below are issues of importance for our Membership.

#### **QuickKnowledge Testing Courses:**

The carrier has issued instructions on the service units that employees are required to take "Safety, Health and Work Environment Training". Some of the Bulletins issued by the service units instruct the employees to take the testing "on their own time", or "without interference to hours of service". These instructions are contrary to the agreements in effect on the former C&NW property. The applicable agreements state:

**"A trainman will be paid a minimum of eight (8) hours compensation or actual time, whichever is greater, at the rate last worked for testing or training that is directed and approved by the Carrier, and that occurs while the employee is not on duty or in a released from service status.**

**If the Carrier designates testing or training that will be conducted via the Internet or other electronic means (CD, DVD, virtual reality programs, etc.), the testing or training material will be provided at no expense to the trainman. A trainman may, if he/she elects, and if approved by the Carrier, participate in the Electronic Rules Testing (ERTT), or the training program from their residence. If a trainman has a computer and elects this option, and it results in long distance telephone charges for the Internet time, the trainmen will provide the necessary documentation/ receipt(s) to be reimbursed for the long distance telephone charges for taking the rule examination/training via ERTT.**

**It will be the Carrier's responsibility to provide alternative arrangements if the employee does not have a computer or the equipment at their residence, or the employee elects not to take the examination/training at their residence. It is also expected that employee's electing to use ERTT at home will do so without loss of time and will not interfere with their availability for service.**

**In the event that the training or testing is not at the employees home terminal and he/she is required to go to another location for the training or testing, the applicable auto expense will apply.**

**If a trainman is protecting an extra board, and with the approval of the Local Manager, participates in the testing or training program, he/she will upon completion of the program advise CMS and be sequenced to the bottom of the extra board, and be subject to call in the normal rotation of the board after legal rest. The trainmen will be compensated as set forth in paragraph A and paragraph B (if applicable).**

If a trainman is protecting a pool freight list, and with the approval of the Local Manager, participants in a testing or training program, he/she will upon completion of the program advise CMS and be sequenced to the pool list in his/her slot if the pool turn has not been called, and will be subject to call in the normal rotation of the pool list after legal rest. The trainman will be compensated as set forth in paragraph A and paragraph B (if applicable). If the trainman's pool turn was called, he/she will be placed first-out on the pool list, upon completion of the program, and subject to call after legal rest. The trainman will be compensated as set forth in paragraph A and paragraph B (if applicable).

If a trainman while assigned to a regular assignment is required to lose time to participate in a testing or training program conducted while not on duty, he/she will be compensated for all lost time, with minimum of a basic day at the rate last worked, plus, expenses provide for in paragraph B above, (if applicable). If the trainman on a regular assignment does not lose time to participate in a testing or a training program while not on duty, he/she will be compensated as set forth in paragraph A and paragraph B (if applicable). It is the employees responsibility to obtain approval from their supervisor for testing at home and to eliminate being unavailable for their regular assignment, in addition to communicating with CMS if they will not be available for their assignment."

All train service employees should be governed by the above provisions.

*ES* **Bulletins, General Orders, Special Instructions:**

Superintendents and service units typically issue or re-issue bulletins and special instructions at or near the beginning of January. This office does not receive these documents unless the members provide them for our review. Please review the bulletins and instructions in effect in your area. If these conflict with the labor contract please advise this office, and provide a copy of the document(s).

Trusting this information will aid you in keeping our Membership informed of issues confronting us and with best personal wishes, I remain

Fraternal ly yours,



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General Chairman, G. C. A.

MJR: j g

cc: Paul Thompson, President - UTU  
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