

C S X T R A N S P O R T A T I O N  
MARCH 28, 2020

HEADQUARTERS SUB SYSTEM NOTICE 122

TO: T&E CREWS AND ALL CONCERNED  
LOCATION: IMPACTED LOCATIONS ACROSS THE CSX TRANSPORTATION NETWORK  
SUBJECT: COVID-19 NATIONAL EMERGENCY TEMPORARY FURLOUGH MITIGATION PROGRAM  
EFFECTIVE: 2359HRS, MARCH 28, 2020

ITEM 1 - PURPOSE

IN AN EFFORT TO PROTECT OUR EMPLOYEES AMIDST THE ONGOING COVID-19 PANDEMIC, CSXT HAS REACHED AN AGREEMENT WITH SMART-TD TO IMPLEMENT A SYSTEM WIDE FURLOUGH MITIGATION PROGRAM. THIS PROGRAM WILL SERVE AS METHOD TO AVOID INVOLUNTARY FURLOUGHS ACROSS OUR NETWORK AND APPLIES TO ALL CONDUCTORS AND TRAINMEN ON THE SYSTEM DURING THE CORONAVIRUS NATIONAL EMERGENCY.

THIS PROGRAM IS DIVIDED INTO TWO (2) SECTIONS. VOLUNTARY LEAVES OF ABSENCE (VLOA) WITH BENEFITS AND EMERGENCY RESERVE BOARDS (ERB) WITH PAY FOR THOSE WHO DO NOT HAVE SUFFICIENT SENIORITY TO HOLD AN ASSIGNMENT AT THEIR SUPPLY POINT.

THESE OPTIONS WILL REMAIN IN PLACE FOR THOSE EMPLOYEES AS LONG THE PRESIDENT OF THE UNTIED STATES DECLARES OUR COUNTRY IN THE STATE OF EMERGENCY, UNLESS EITHER PARTY DECIDES TO CANCEL SUCH AGREEMENT WITH A FOURTEEN (14) DAY WRITTEN NOTICE TO THE OTHER PARTY.

ITEM 2 - PROCESS FOR VOLUNTARY FURLOUGH (VLOA)

VOLUNTARY LEAVES OF ABSENCE (VLOA) WILL BE POSTED BY LOCATION AND LEFT OPEN FOR CLAIM FOR FORTY-EIGHT (48) HOURS. THOSE EMPLOYEES WHO REQUEST A VLOA WILL BE AWARDED BASED ON THEIR SENIORITY AND QUALIFICATIONS. THAT IS TO SAY, SOME EMPLOYEES WHO MAY BE SENIOR TO OTHERS BUT HOLD SPECIAL QUALIFICATIONS MAY BE DENIED A VLOA SINCE THEIR SERVICE MAY BE REQUIRED TO PROTECT THE NEEDS OF SERVICE. HOWEVER, CONSIDERATION WILL BE GIVEN IN SENIORITY ORDER TO THE EXTENT POSSIBLE. APPROVAL OF A VLOA WILL RESULT IN THE EMPLOYEE BEING GRANTED A VLOA FOR A REQUIRED PERIOD OF FOURTEEN (14) DAYS. THE PROVISIONS OF THE VLOA ARE ONLY APPLICABLE TO EMPLOYEES THAT REMAIN IN ACTIVE SERVICE. SINCE THIS AGREEMENT COVERS THE ENTIRE SYSTEM IT IS NOTEWORTHY TO MENTION THAT THERE ARE SEPARATE PROCESSES FOR EACH COLLECTIVE BARGAINING AGREEMENT - CSRA AND NMAD/B&O.

IN ORDER TO BE CONSIDERED FOR A VLOA ON THE CSRA AN EMPLOYEE MUST:

- 1) BE IN ACTIVE STATUS AT A SUPPLY POINT IMPACTED BY THE COVID-19 PANDEMIC.
- 2) PLACE THE APPROPRIATE BULLETIN NUMBER FIRST OUT IN THE EMPLOYEE'S EBS CARD.
- 3) EMPLOYEES GRANTED A VLOA WILL BE SHOWN DEACTIVATED ON THE FOLLOWING JAD FOR A PERIOD OF FOURTEEN (14) DAYS.
- 4) EMPLOYEES WISHING TO RETURN TO ACTIVE STATUS ON THE END OF THE FOURTEEN (14) DAY PERIOD MUST NOTIFY CMC WITHIN THE RULES AND TIMEFRAMES OF THE CSRA AGREEMENT IN ORDER TO RETURN TO ACTIVE SERVICE ON A JAD. EMPLOYEES WISHING TO REMAIN ON A VLOA FOR EXTENDED PERIODS WILL NEED TO ENSURE THE VLOA BULLETIN IS PLACED FIRST OUT IN THEIR EBS CARD

IN ORDER TO BE CONSIDERED FOR A VLOA ON THE NMAD AN EMPLOYEE MUST:

- 1) BE IN ACTIVE STATUS AT A SUPPLY POINT IMPACTED BY THE COVID-19 PANDEMIC
- 2) EXERCISE SENIORITY TO AN AVAILABLE POSITION ON THE VLOA
- 3) EMPLOYEES GRANTED A VLOA WILL BE REQUIRED TO REMAIN ON A VLOA FOR A PERIOD OF FOURTEEN (14) DAYS AND WILL NOT BE PERMITTED TO MAKE A SENIORITY DURING THAT PERIOD OF TIME.
- 4) EMPLOYEES WISHING TO RETURN TO ACTIVE STATUS AT THE END OF THE FOURTEEN (14) DAY PERIOD MUST CONTACT CMC AND ADVISE THEY WISH TO BE PLACED BACK INTO ACTIVE STATUS AND MUST MAKE A SENIORITY MOVE TO A POSITION WITHIN THE RULES AND TIMEFRAMES OF THE B&O AGREEMENT.

THESE VLOA POSITIONS WILL BE COMPLETELY VOLUNTARY AND EMPLOYEES WILL NOT BE FORCED TO TAKE A VLOA. HOWEVER, AN EMPLOYEE IS REQUIRED TO ENSURE THEY TAKE APPROPRIATE ACTIONS WHILE ON A VLOA INTO ACTIVE STATUS AS TO NOT LET ANY CERTIFICATION OR QUALIFICATIONS LAPSE. EMPLOYEES MAY AGAIN REQUESTS VLOA ONCE THEY MAINTAIN THEIR QUALIFICATION AND TRAINING. A VLOA WILL BE UNPAID BUT EMPLOYEES WILL RETAIN THEIR CURRENT H&W BENEFITS FOR FOUR (4) MONTHS AND WILL BE ALLOWED TO USE THEIR PAID LEAVE OR REQUEST PAY IN LIEU OF.

### ITEM 3 - EMERGENCY RESERVE BOARD (ERB) POSITIONS AND ALTERNATIVES

POSITIONS ON THE ERB WILL BE MADE AVAILABLE TO ALL EMPLOYEES WHO CANNOT HOLD A REGULAR ASSIGNMENT (ROAD, YARD, EXTRA BOARD, ETC) AT THEIR LOCATION AND WHO REMAIN SUBJECT TO INVOLUNTARY FURLOUGH AFTER THE AWARD OF ALL VOLUNTARY FURLOUGH MITIGATION LEAVES OF ABSENCE. ALTERNATIVELY, EMPLOYEES MAY EXERCISE SENIORITY TO OTHER POSITONS THEY ARE CURRENTLY QUALIFIED ON AT OTHER LOCATIONS OR TAKE FURLOUGH AT THE SUPPLY POINT.

ONCE AN EMPLOYEE AT A LOCATION AS MENTIONED ABOVE ARE PLACED INTO A CUT-OFF STATUS, THE EMPLOYEE MUST MAKE AN ELECTIVE AS OUTLINED ABOVE. POSITIONS ON THE EMERGENCY RESERVE BOARDS WILL BE APPLIED AS FOLLOWS:

- 1) POSITIONS WILL BE GUARANTEED ONE (1) PAYMENT PER TWENTY-EIGHT (28) DAY CYCLE CONSISTING OF SEVEN (7) ACTIVE DAYS AND TWENTY-ONE (21) INACTIVE DAYS (SHOWN AS INVOLUNTARY FURLOUGH). THE GUARANTEE AMOUNT WILL BE THE EQUIVALENT OF SEVEN (7) DAYS GUARANTEE OF \$180.00 PER DAY FOR A TOTAL OF \$1260.00 PER CYCLE.
- 2) EMPLOYEES WILL ROTATE ON A FIRST-IN FIRST-OUT BASIS AND WILL ALSO ROTATE BETWEEN ACTIVE AND INACTIVE STATUS. EMPLOYEES WILL BE HELD TO THE SAME POSITION FOR THE ENTIRE TWENTY-EIGHT (28) DAY PERIOD UNLESS RECALLED.
- 3) EMPLOYEES WHILE IN AN INACTIVE STATUS DURING THEIR CYCLE WILL BE SHOWN UNDER LAYOFF CODE "FER" TO IDENTIFY EMPLOYEES IN THE ERB ROTATIONS.
- 4) EMPLOYEES WHO ARE UNAVAILABLE (I.E., SICK) OR FAIL TO ACCEPT A CALL DURING ACTIVE STATUS WILL RESULT IN A REDUCTION OF THEIR GUARANTEE THE EQUIVALENT OF ONE-SEVENTH (1/7TH) FOR THE FIRST TWO (2) INCIDENTS AND WILL FORFEIT ALL GUARANTEE FOR ANY SUBSEQUENT UNAVAILABILITY.
- 5) EMPLOYEES MAY USE ENTITLEMENTS WHILE ON THE ERB.
- 6) EMPLOYEES RECALLED TO SERVICE WILL BE GIVEN FORTY-EIGHT (48) HOURS NOTICE ON THE NMAD AND FIVE (5) DAYS NOTICE ON THE CSRA (TO COINCIDE WITH THE EBS JAD). THE TERMS OF THE APPLICABLE COLLECTIVE BARGAINING AGREEMENT WILL APPLY TO SENIORITY MOVES AND ACTIVATION OF BID CARDS.

ISSUED BY CHIEF OPERATING OFFICER, JAMIE BOYCHUK