

To: All Concerned

Subject: CSX Attendance Policy - All Operating and Non-Operating Craft Employees

Effective: 17:00 HRS December 08, 2022

Item 1 - Revised Attendance Policy Announcement

New Policy goes into effect January 1, 2023

In order to provide CSX employees a more flexible policy and respond to concerns expressed by craft employees and labor organizations, CSX will implement a revised Attendance Policy applicable to all craft employees effective January 1, 2023.

The new company-wide Attendance Policy replaces all prior craft-specific attendance policies. The policy was developed in large part through discussions with labor representatives and provides improvements favorable to employees in several key areas. Most notably, in contrast to prior policies, points that accrue for accountable absences will expire on a rolling 12-month cycle rather than continue to accumulate indefinitely. All craft employees will now earn five points of good attendance credits for each calendar year quarter worked without an absence. Points will not be assessed for documented hospitalizations, emergency treatment or scheduled medical appointments. The new policy will also be non-disciplinary and non-punitive, and CSX will no longer subject employees to formal investigations, hearings or disciplinary suspensions. Instead, employees who exceed certain point thresholds will receive timely notifications and encouragement to correct their attendance records. Leadership will also be empowered to exercise discretion in the handling of those with special needs and consider alternative approaches in appropriate circumstances. Further details regarding the policy and its administration will be communicated in the coming weeks.

Item 2 - Attendance Policy – Effective January 1, 2023

Preamble

The CSX Attendance Policy (AP) encourages CSX craft employees to be consistently and regularly available for work, thereby contributing in meaningful ways to CSX, their co-workers, our customers and the communities we serve. The AP follows a positive, non-punitive and non-disciplinary approach (similar to the recent reforms to CSX operational testing and corrective action policies) that gives each employee the opportunity to improve their availability, maintain an acceptable attendance record, and receive timely notifications if and when their attendance falls short of expectations. The AP differs in material ways from prior attendance policies, as described below. This policy supersedes all prior policies and practices relating to the handling of CSX craft employee attendance and absenteeism occurrences.

The new Attendance Policy incorporates four material changes from prior attendance policies:

- 1) Under the new policy, attendance points will expire twelve (12) months after accrual (under prior policies points accrued indefinitely and were only deducted when employees were able to attain good attendance credits);
- 2) The good attendance credit process will allow employees to be forgiven five (5) points per each calendar year quarter of good attendance and will be consistent across all crafts (under prior policies different crafts accrued different good attendance credits over different time periods);
- 3) No points will be assessed for absences due to hospitalization, emergency treatment or scheduled medical appointments with medical documentation;
- 4) Employees will not be subject to discipline or dismissal if their total accumulation is less than 60 points; formal investigations or hearings will not be held unless and until the employee reaches the level warranting dismissal; and, based on individual circumstances, CSX may elect to offer an employee continued employment on a last chance basis in lieu of dismissal.

These changes are intended to provide a more flexible policy for our employees while also addressing concerns expressed by employees and labor organizations about previous attendance policies. For example, because points accumulated indefinitely under prior policies, an employee could be disciplined for absences that occurred over several years even though the employee generally maintained acceptable attendance. By contrast, under the AP points will expire on a rolling 12-month cycle, and CSX will not investigate or discipline employees who experience attendance issues that do not warrant dismissal. Instead, CSX will provide a series of notifications should an employee's absences exceed certain thresholds, so that the employee can correct their attendance before being subject to investigation or dismissal. While continuing to be responsible for maintaining acceptable availability for work, employees who conscientiously manage their availability will clearly benefit from these policy revisions.

1. Assessment of Points

- a. Subject to the attendance point schedule below, employees will be assessed points for various attendance incidents, including both full and/or partial day absences.
- b. Employees will have electronic access to their attendance records. Assessment or deduction in points will be reflected in these records.
- c. The assessment of points for attendance incidents is not considered a corrective or disciplinary action and does not implicate the formal investigation, hearing or grievance processes under applicable collective bargaining agreements. Except for the timeline provided below for medical documentation for hospitalization or emergency treatment, employees may submit information contesting the factual basis for point assessments within sixty (60) days from the date points are assessed.

Attendance Point Schedule

Attendance Incident	Point Value (Per Day)
Failure to Report (no call, no show) or Marking Off After Accepting Call	15
Miss Call or Marking Off During Call	10
Mark Off* (Short-term illness, leaving work early, and other unauthorized mark off)	5
Late to Report	2
Hospitalization, Emergency Treatment or Scheduled Medical Appointments (with medical documentation)**	0

*Employees will not be assessed any points under this policy for absences due to approved leave under the Family and Medical Leave Act and/or for absences due to a work-related illness or injury supported by a valid doctor's note submitted to the Medical Department.

**Employees who choose to submit medical documentation to support absences related to hospitalization, emergency treatment or scheduled medical appointments for themselves or family members must provide the CSX Medical Department with the following information within three (3) calendar days of marking up for service:

- Date of injury or illness and date of consultation with medical provider
- Absence start date and return to work date, if applicable
- Sufficient medical information to demonstrate medical treatment was provided or the employee was hospitalized, including signature from health care provider on letterhead
- All medical documentation should be submitted through MyCority at <https://csx.my.cority.com/#/home> using the Attendance icon. From the CSX Gateway, select Medical Services from the Department dropdown, select MyCority and submit all necessary information using the Attendance icon. The CSX Medical Department may verify documentation as needed with treating providers to confirm dates and reasons for absences.

2. Expiration, Crediting and Deduction of Attendance Points

- a. Five (5) points will be deducted from an employee's accumulated point total for each calendar quarter (e.g., January 1st through March 31st) of active service in which the employee has no point assessments covered under the attendance point schedule above and has not otherwise been absent during the period for any reason, with the exception of approved vacation, demand day off (DDO), personal leave, jury duty, work-related illness or injury with a valid doctor's note, and paid bereavement leave days.
- b. Assessed attendance points will expire upon twelve (12) completed months of active service following the attendance incident. For example, Employee A with a clean attendance record incurs a mark off on January 15, 2023, and is assessed five (5) attendance points; assuming Employee A remains in active service each of the next 12 months, the five (5) points assessed will be deducted from Employee A's accumulated point total on January 15, 2024.
- c. An employee's point total cannot be less than zero (0).

3. Notifications

- a. Notifications regarding employees' attendance records are not subject to the investigation, hearing and grievance processes of the applicable collective bargaining agreements. Notifications merely serve to advise impacted employees of their current point totals.
- b. Employees who accumulate attendance points will be notified of their point standing at the following intervals:
 - 20 points – (electronic notification)
 - 30 points – (electronic notification)
 - 40 points – (electronic notification)
 - 50 points – (electronic notification)

4. Discipline and Dismissal

- a. An employee who accumulates sixty (60) points or more will be subject to dismissal. For purposes of dismissal based on points only, the sixty (60) point total will be increased by two (2) points for each five (5) years of service.
- b. Employees who may be disciplined upon the accumulation of sixty (60) points or more are entitled to formal investigation, hearing and union representation prior to discipline, and may challenge such action and any preceding incidents or points leading to discipline through the grievance process.
- c. Where CSX elects not to dismiss an employee who accumulates sixty (60) points (or the equivalent higher point level based on years of service), the employee may be offered continued employment on a last chance basis. In that case, immediately upon reinstatement to service, CSX will reset the employee's total to fifty-five (55) points, and the employee's points will not expire or otherwise be deducted for 12 months from the date of reinstatement. At the end of this 12-month period, and assuming the employee remains in active service and below the dismissal threshold in the interim, any point reductions that the employee would have otherwise received over the preceding 12 months will be applied retroactively.

For example, Employee D reaches sixty (60) points (or greater) and is subject to a disciplinary investigation and hearing pursuant to the relevant CBA procedures. If, on July 1, 2023, the investigation confirms Employee D's accumulated points and violation of this Policy, but CSX elects to offer Employee D a final opportunity to correct his/her attendance, Employee D's point total will be reset to fifty-five (55) points and, assuming Employee D maintains availability without incurring additional points, the expiration, crediting or deduction of points would be deferred until July 1, 2024.

5. Point Conversion from Previous Attendance Policies

All points accrued from previous attendance policies will be transferred under this Attendance Policy using a look-back period of twelve (12) months. All points accumulated more than twelve (12) months preceding the effective date of this policy will be removed and the remaining points will be handled in accordance with Section 3.

6. Additional Provisions

The Attendance Policy is not intended to prevent employees from using legally protected leaves such as FMLA or other excused absences under any applicable collective bargaining agreements which are properly certified and/or documented including but not limited to the following: bereavement, paid days off, leaves of absences, work-related illness or injury absences, jury duty, military leaves or union business.

Employees who are seeking to be absent as part of a request for a reasonable job accommodation should follow the CSX Job Accommodation Process, which includes making a request for a reasonable job accommodation prior to the absence (unless extraordinary circumstances exist) through CSX's Medical Department. CSX reserves the right to assess points under this Policy for any absences accumulated by an employee that were not approved as a job accommodation, unless otherwise prohibited by law. The Job Accommodation Process and Request Form can be accessed on the CSX Employee Gateway (Gateway > Help, Links & Tools > Forms > Medical Forms).

***The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.*

Issued By: Jamie Boychuk - EVP Operations