

## UNION PACIFIC RAILROAD TE&Y ATTENDANCE POLICY

Effective January 15, 2023

Union Pacific Train, Engine, and Yard Service (TE&Y) employees are expected to protect their job assignments on a full-time basis. Unanticipated absence(s) from work, particularly a missed call and/or no-show negatively impacts operations, commitments to shippers, and a co-worker's ability to plan for off time activities. An employee who is unable to work full-time and protect their employment obligations may be considered in violation of this Policy regardless of the explanation offered. This policy will allow employees to monitor their own attendance based on a predetermined points-based system.

Under the points-based system, layoffs accumulating 28 or more points may be charged as a violation under this policy. Layoff events will automatically age-off the employee's attendance record after 91 days.

It is the employee's responsibility to notify their manager in advance of layoffs and to retain documentation related to absences from work. However, notification and documentation alone do not excuse employee's responsibility to protect their job on a full-time basis. In the event an employee believes the accumulation of points calculated are not accurate, the employee may submit a TRM ticket for consideration.

### **Section 1: Point Based Policy Guidelines**

As professionals, Union Pacific employees are expected to report for work on-time and ready to perform service. Points will accumulate on an employee's attendance record based on the following matrix:

Type of Layoff	Extra Board Assignments*			Pool Board Assignments			Regular Assigned Jobs**	Supplemental Boards
	Weekday	Weekend	Holidays	Weekday	Weekend	Holiday		
Sick (LS)	3	5	8	6	8	8	8	15
Sickness in Family (LK)								
Personal (LP)								
Missed Call (MC)	10			10			10	
No Show (LN)								
After Call (LW)								
Refused Call (RF)								

\*Includes: Bump boards and Training boards

\*\*Includes: AWTS, CRTB, Daily Preference Boards, Work Train Boards

- (a) If an employee accumulates twenty-eight (28) or more points within a rolling ninety (90) day period, the employee may be charged with a violation of this Policy:
1. An Employee may be charged with a “First Offense” for violation of this policy. Any formal investigation will be conducted in accordance with the appropriate Collective Bargaining Agreement.  
  
If the charge is substantiated, the assessed “First Offense” will remain on the employee’s record for a retention period of thirty-six (36) months. Should the employee elect to waive the employee’s formal investigation, the retention period will be reduced to twenty-four (24) months.
  2. Should an employee accumulate twenty-eight (28) or more points within the retention period for the “First Offense,” the employee may be charged with a subsequent violation of this policy and removed from service pending a formal investigation. Any formal investigation will be conducted in accordance with the appropriate Collective Bargaining Agreement.  
  
If the subsequent charge is substantiated, the employee will be permanently dismissed from service with Union Pacific.
  3. Retention periods under this policy are independent of and separate from retention periods computed under the Managing Agreement Professionals for Success (MAPS) policy.
- (b) Employees have the opportunity to reduce their points during a “credit period.” For purposes of this Policy, a “credit period” consists of fourteen (14) consecutive credit eligible days. The fourteen (14) days may be extended by neutral status codes. Refer to the FAQs for definition of credit eligible and neutral status codes.
1. An employee working a regular job (non–pool, non-extra board) with assigned start times as well as AWTS, CRTB may “earn” up to two (2) credit points for each qualifying “credit period.”
  2. An employee working other than a regular assignment may “earn” up to four (4) credit points for each qualifying “credit period.”
  3. However, points earned cannot be banked for future use and an employee’s total points cannot be less than zero (0).

## **Section 2: Additional Guidelines**

- (a) For purposes of the Policy:

Any layoff status (including a portion thereof) that occurs between 0600 hours Friday through 1800 hours Sunday points are accumulated as a weekend layoff.

Example: If an employee lays off at 0630 Thursday and marks up at 0630 Friday, this will be considered a weekend layoff.

- (b) For purposes of this Policy, each layoff that encompasses a twenty-four (24)-hour period, or portion thereof, will accumulate points per the matrix in Section 1.

- (c) For purposes of this Policy, Union Pacific recognized holidays and other peak days determined by management will be counted as "holidays." Refer to the FAQs for a list of holidays and peak days.
- (d) Approved leave days will not be considered as an absence under this Policy for purposes of accumulating points. Approved leave days include qualifying bereavement, jury duty, a leave of absence, medical leave, family medical leave (FMLA), USERRA military leave, absence(s) for union business in accordance with the employee's respective Collective Bargaining Agreement and authorized personal leave (PL) days and vacation days (LV).
  - 1. LS, LK, and LP layoffs that are not authorized, but rather paid in accordance with a collective bargaining agreement provision for an employee to "burn" available paid leave, are not considered approved layoffs under this Attendance Policy and will accumulate points as outlined in the matrix in Section 1 above.
  - 2. Conditionally approved FMLA/MLOA absences may be converted to "unexcused" absences if the request for leave is not approved by Health & Medical. Under these circumstances, points may accumulate under the appropriate lay off type (LS, LK or LP) as outlined in the matrix in Section 1 above. For more information, see TE&Y Attendance FAQs.
  - 3. Conditionally approved Bereavement (BV) and Extended Bereavement (EB) may be converted to "unexcused" absences if the employee does not provide Finance with documentation to support the requested leave. Under these circumstances, points may accumulate under the appropriate lay off type (LS, LK or LP) as outlined in the matrix in Section 1 above. For more information, see TE&Y Attendance FAQs.

# TE&Y Attendance Frequently Asked Questions

## Effective January 15, 2023

### General

**1) Who is governed by the revised Attendance Policy?** The revised Attendance Policy applies to all TE&Y (train, engine, and yard) agreement professionals.

**2) Why did the Attendance Policy change March 1, 2020?** The revised Attendance Policy responds to employee requests for clear and transparent attendance requirements.

**3) What changes have been made in the revision effective January 15, 2023?** The revised Attendance Policy:

- The following compensated and approved CBA Personal Leave (PL), Vacation (LV), Additional Day (AD), and Bereavement (BV) status codes are now neutral for the purposes of the credit period. (Not including "Burn Day(s)" See Section 2(d)(1) of the policy.
- Handling for Bereavement (BV) that is revoked has been added to the policy. See Section 2(d)(3)
- Revisions to FAQ #32 – corrected a typographical error.

**4) Was the Attendance Policy negotiated with the Unions?** No. Company Attendance Policies are established at the discretion of the Carrier and are not negotiated.

### Determining Points & Monitoring Attendance

**5) How do employees monitor their own attendance based on the points-based system?** Employees may monitor their own attendance through the MyUP portal page or manually using the matrix in Section 1 of the Policy.

**6) What happens if an employee switches assignments and lays off?** Points will accumulate based on the employee's assignment at the time of the layoff.

**7) What about temporary assignments?** If an employee lays off while working a temporary assignment, the employee will accumulate points associated with the assignment the employee is working as well as credits.

**8) How does an employee request an authorized medical leave of absence (FMLA/MLOA) from work?** Employees needing a medical leave of absence may request a leave through the eHealthsafe portal or by contacting an Occupational Health Nurse. All requests for leave should be made in timely manner as leaves will only be backdated in extenuating circumstances. Leave Management will make the final decision on the employee's eligibility for a medical leave of absence. Any time conditional FMLA/MLOA is revoked (meaning the employee has failed to provide the requested certification within the timeframe allowed by Union Pacific), the conditional leave days revert to unexcused absences and may accumulate points under this policy. Employees who use FMLA/MLOA leave for other than its intended purpose may be subject to discipline, up to and including dismissal from Union Pacific.

**9) Where can employees find assistance for extenuating circumstances preventing them from reporting to work?** The following lists Union Pacific resources employees can contact for guidance or assistance:

Resource	Method	Contact Information
<p><i>Employees needing a medical leave of absence can request a leave through:</i></p> <ul style="list-style-type: none"> <li>• eHealthSafe portal</li> <li>• local Occupational Health Nurse</li> </ul> <p><i>If leave is related to mental health or substance abuse, contact the Employee Assistance Helpline (1-800-779-1212)</i></p>		
Employee Assistance Program (mental health and substance abuse)	Help Line	1•800•779•1212
Operation Red Block (for use while under the influence of drugs and/or alcohol)	Help Line	1•866•311•7255
Drug and Alcohol Info Line	Help Line	1•800•840•3784
Peer Support (need support from peers)	Website	<a href="https://employees.www.uprr.com/e/labor/peer/peer-support-contacts/index.htm">https://employees.www.uprr.com/e/labor/peer/peer-support-contacts/index.htm</a>
Health & Wellness Services / OHN	Website	<a href="https://leaves.www.uprr.com/ohn_contacts.shtml">https://leaves.www.uprr.com/ohn_contacts.shtml</a>
Family Medical Leave (FMLA)	TRM Ticket	<p>FMLA ticket system</p> <p><a href="https://home.www.uprr.com/cs/groups/public/@uprr/@employee/@hr/documents/employees_documents/fmla_faq_employee.pdf">https://home.www.uprr.com/cs/groups/public/@uprr/@employee/@hr/documents/employees_documents/fmla_faq_employee.pdf</a></p>

**10) What earns a credit period?** Fourteen (14) consecutive credit eligible days of being marked-up and fully available for service or on-duty. The fourteen (14) days may be extended by neutral status codes.

- The only statuses that count towards the 14 consecutive credit eligible days are OK (Okay to Work), OD (On Duty), FR/FZ (Federal Requirement), CS (Class Scheduler), OS (Company Business), VI (Voluntary Involvement), HI (Held In), FX (System Fix), TT (Travel Time), and LB/FB (Layoff Bump/Forced Bump, if marked up within 24 hours or less).
- OF (Off Day), RD (rest day) and WR (Work/Rest) will be considered neutral and will not reset credit period nor count toward credit period.
- Approved CBA compensated days PL, LV, BV and AD (excluding burn days) will be considered neutral and will not reset credit period nor count toward credit period.
- Any other status will reset the fourteen (14) consecutive credit eligible day period, including approved leave days regardless of the type or reason.

**11) If an employee worked a combination of regular and non-regular assignments during the fourteen (14) consecutive credit eligible days, how many credits does the employee receive?** The number of credit points will be determined on what assignment the employee is holding at 2359 hours of the 14<sup>th</sup> consecutive credit eligible day.

**12) Does LB/FB status count toward the credit period?** For the bumped time to count towards the credit period, an employee must place their bump within twenty-four (24) hrs. The twenty-four (24) hour period starts from the time bumped or released from federal rest and/or returned to the home terminal.

**13) What happens if an employee is in LB status at 2359 on the fourteenth (14<sup>th</sup>) consecutive credit eligible day?** Employee would earn a four (4) point credit provided employee places their bump within 24 hours. Per the matrix in Section 1 of the policy, bump boards fall under extra boards. Failure to place a bump within 24 hours would reset the credit period and the employee would not be eligible for any credits for that period.

**14) Do approved CBA compensated days PL, LV, BV and/or AD (excluding burn days) reset the credit period?** No.

**15) Does EV, VE, and/or EB reset the credit period?** Yes.

**16) Do days in furlough status count towards the credit period?** No.

**17) How do AWTS or CRTB boards accumulate points or earn credits under the policy?** Employees assigned to these boards are treated as a regularly assigned job under the matrix in Section 1 of the Policy.

**18) What holidays and peak days accumulate points in the Attendance Policy** Holidays and peak days include the following actual calendar days (not the observed days):

New Year's Eve	St. Patrick's Day	Father's Day	Halloween	Christmas Eve
New Year's Day	Good Friday	Independence Day	Thanksgiving Day	Christmas Day
Super Bowl Sunday		Mother's Day	Labor Day	Day After Thanksgiving
President's Day			Memorial Day	

Note: Holiday/Peak Day layoffs are any layoffs (or portion thereof) that occurs on any portion of the Holiday/Peak Day (0001-2359).

**19) Will points be compounded (i.e., employee lays off on a holiday that falls on the weekend)?** Points will accumulate based on the highest value for the occurrence. For example, if a holiday is on a weekend and the employee is on an extra board assignment, eight (8) points (holiday layoff) will accumulate for a LS, LK or LP layoff.

**20) If an employee is laid off sick for three (3) days, is that considered one occurrence?**  
 No. An employee will accumulate points for each 24-hour period; or portion thereof, that the employee is laid off.

**Example A:** Extra Board Employee A lays off sick at 1200 hours on Monday. Employee A extends his layoff through Wednesday, marking up at 1200 hours. Employee A would accumulate six (6) points (6 total points = 3 LS weekday + 3 LS weekday).

**Example B:** Pool Employee B lays off sick at 1200 hours on Wednesday. Employee B extends his layoff through Friday 0700 hours. Employee B would accumulate fourteen (14) points (14 total points = 6 LS weekday + 8 LS weekend).

**21) Why are accumulated points and credit opportunities not the same for all Boards?**  
 Boards have different work requirements and characteristics.

**22) Why would an employee not receive full points for each qualifying credit period?** The employee's total points cannot be banked for future use or be less than zero (0). For example, if an employee's total points is one (1) on the date the credit is earned, the employee would receive a one (1) point credit.

**23) When does a layoff event “age-off” an employee’s record and how does this affect total points?** Layoff events will age-off the attendance monitor after 91 days. Any points accumulated with the 91-day old layoff that have not been previously reduced by a credit, will also age-off after 91 days. For example, a 10-point layoff that has been reduced to 6 points after earning a 4-point credit will age-off after 91 days and the employee's total points will be reduced by 6 instead of 10 on day 91. Any points accumulated with the 91-day old layoff that have not been previously reduced by a credit, will also age-off after 91 days. See examples below.

**Example A:**

The 10/19 layoff will age off in 8 days. The 10/19 LS accumulated 6 points but has been reduced by a credit to 2 points (see Points after Credit). When the 10/19 layoff ages off, the employee’s total points will be reduced by 2 points.



<b>Example B: Employee History</b>	<b>Points Accumulated (Points After Credit)</b>	<b>Total Points</b>
Absent April 21	3 (0)	3
5/20 Credit	-4	0
Absent May 21	5	5
91 days from April 21	No reduction*	5
91 days from May 21	-5	0

\*While the 4/21 layoff ages off, there is no point reduction as the 4/21 layoff had previously been reduced to 0 with the 5/20 credit.

<b>Example C: Employee History</b>	<b>Points Accumulated (Points After Credit)</b>	<b>Total Points</b>
Absent April 4	5 (4)	5
Absent April 21	3 (0)	8
5/20 Credit	-4	4
Absent May 22	5	9
91 Days from April 4*	-4*	5
91 days from April 21**	No reduction**	5
91 days from May 22	-5	0

\*While the 4/4 layoff ages off, there is only a 4-point reduction as the 4/4 layoff had previously been reduced to 4 points with the 5/20 credit.

\*\*While the 4/21 layoff ages off, there is no point reduction as the 4/21 layoff had previously been reduced to 0 with the 5/20 credit.



<b>Example D:</b>	<b>Employee History Points Accumulated (Points After Credit)</b>	<b>Total Points</b>
Absent April 4	5 (1)	5
Absent April 21	3 (0)	8
5/20 Credit	-4	4
Absent May 22	5 (0)	9
6/14 Credit	-4	5
6/29 Credit	-4	1
91 Days from April 4*	-1*	0
91 days from April 21**	No reduction**	0
91 days from May 22***	No reduction ***	0

\*While the 4/4 layoff ages off, there is only a 1-point reduction as the 4/4 layoff had previously been reduced to 1 point with the 5/20 credit and 6/29 credit.

\*\*While the 4/21 layoff ages off, there is no point reduction as the 4/21 layoff had previously been reduced to 0 with the 5/20 credit.

\*\*\*While the 5/22 layoff ages off, there is no point reduction as the 5/22 layoff had previously been reduced to 0 with the 6/14 credit and 6/29 credit.

**24) If an employee believes points are calculated incorrectly, what should the employee do?** Employees should submit a TRM ticket from the MyUP Portal requesting review and/or clarification. If points are accrued inaccurately due to errors, points can be corrected after review. Please note that this is for Attendance points related issues only. The attendance ticket system is not for CBA questions, notification of COVID symptoms and/or positive test, request for a MLOA, request for FMLA, time claim questions or statements. Professional communication should be used at all times.

**25) What happens when an employee works the same day that they had a Missed Call (MC), Refused Call (RF), or No Show (LN)?** An employee's points may be reduced to the number of points accumulated for a normal layoff (i.e. LS, LK, LP) if an employee accepts a call for service within six (6) hours. The six (6) hours is calculated from the first call time to the second call time for service.

Note: It is the employees' responsibility to take their call on time/first time as required by their CBA. There is no obligation of the Carrier to mark the employee up early or that there will be a job available to work and no obligation that points will be reduced.

**26) Has the process for granting PL/LV days changed?**

The process for requesting and approving PL/LV days has not changed and is granted based on supply/demand and business needs.

**27) How do neutral days affect the fourteen-day credit period display in the monitor?**

The credit period earned day identified in the monitor display may change due to each neutral day taken. In the example below, if the employee takes a vacation day prior to or on 2023-01-23, the “stay marked up and eligible” through 2023-01-23 date will be adjusted to 2023-01-24 to reflect the neutral day.

Stay marked up and eligible through 2023-01-23 to earn a credit. Note, this date may be extended if neutral days are incurred.

Credits display 2 days after the date earned.

Retention End Date	Total Points Accumulated	Period Start
-	20	2022-10-12

  

Status	Points Accumulated (Points After Credit)	Point Adj Desc	Start	CIRC 7	Board
--------	------------------------------------------	----------------	-------	--------	-------

**28) When will the fourteen-day credit display?** Employees should remember credits display two days after the date earned. In the example above, assuming the employee does not layoff or take a neutral day, the employee would need to stay marked up through 2023-01-23. The employee would “earn” the credit on 2023-01-24 and the employee would see the credit displayed on their record on 2023-01-26.

**29) If an employee has mitigating circumstances or documentation supporting the reason for any absences for which an employee has accumulated points, may an employee provide that information and have the points removed?** The policy allows for occasional layoffs up to twenty-seven (27) points in a 90-day rolling period. There is no need to provide documentation in the TRM tickets for any absences that have accumulated less than twenty-seven (27) points. A review of an employee’s absences for purposes of potential discipline does not occur unless an employee exceeds twenty-seven (27) points. Documentation alone does not excuse an employee’s responsibility to protect their job on a full-time basis.

**30) If an employee utilizes LP for bereavement that does not qualify under the CBA, will points accumulate?** Yes. For non-qualifying, non-compensated bereavement, LP will accumulate points as defined in the matrix in Section 1 of the Attendance Policy. An employee may request CMS to use compensated leave (PL, LV) but request for compensated leave will be subject to business needs (supply and demand). Bereavement leave (BV) is only to be utilized in accordance with an employee’s CBA and for qualifying family members. Currently, agreement provided qualifying family members include: brother, sister, parent, child, spouse, or spouse’s parent. If the applicable agreements change regarding covered family members, the applicable agreement will govern. If documentation does not support the qualifying family member, the bereavement leave may be revoked, and points accumulated under the Policy.

**31) How much time does an employee have to provide Finance the required documentation for bereavement leave before it is revoked and points are accumulated?** Employees are expected to submit documentation in accordance with Finance’s established procedures. If an employee fails to do so and Timekeeping recovers bereavement pay, absences may be converted to “unexcused” absences and points may accumulate under the appropriate layoff type (LS, LK, or LP) as outlined in the matrix in Section 1 of the Policy.

**32) If an employee is charged for an alleged first offense and has not had a hearing yet, will employee still accumulate points for layoffs?** Yes. After a First Offense charge is issued an employee will begin a new review period with zero points. If an employee lays off within the new review period, they will accumulate points as defined in the matrix in Section 1 of the Attendance Policy. If an employee accumulates 28 points, another charge may be issued. If charges are sustained, an employee may be assessed a First or Second Offense-Dismissal pending the outcome of the preceding charge.