Member Claim Filing Process

General information regarding the proper filing of time claims:

1. When filing time claims the member should ensure they put all times, dates, train ID's, mileposts/locations, person instructing etc. on the claim. Unlike discipline cases, in work rule grievances the "burden of Proof" lies on the Organization. The Local Chairman would rather have too much information than not enough. There must be enough evidence provided to support the grievance as claimed and the quality and accuracy of the evidence provided is the most important element in determining the difference between a collected claim and a claim that is uncollectable. In addition, please provide the pertinent portion of the Agreement (Work Rule) you believe was violated, if known.

2. Ensure the date the grievance/claim occurred is on the non-service time-slip not the date you are filing the claim unless they are one and the same.

3. Please keep in mind that the claims process and appeal process are time sensitive and subject to strict time limits as dictated in the governing collective bargaining agreement (IGN, Article C-13, Time Limits on Claims, pages 256-258). The original non-service claim must be filed with timekeeping within thirty (30) days from the occurrence of the violation. The Carrier has sixty days to allow or deny the claim, if declined, the Local Chairman has sixty (60 days) from the date of the decline to write an appeal, it is incumbent upon the member to get the claim to your Local Chairman as soon as you receive the declination report (can be found in e-payroll as train slips) with the decline on it.

   Note: You can find the Local you belong to on your pay summary in e-payroll. Local Chairman's contact information can then be found on our website under the drop down menu labeled L/C contacts.

The following elements are necessary for the claim to be efficiently advanced in appeal by the Local Chairman:

1. Two (2) copies of original non-service time claim. (One (1) copy for the Local Chairman's records and one (1) copy to send to Labor Relations in appeal).

   Note: A "heat" ticket is not a substitute for a non-service time claim. "Heat" tickets are merely an online inquiry with timekeeping regarding a pay issue or claim and cannot be used to start the appeal process.

2. Two (2) copies of the declination report found on e-payroll under "time slips" or mailed with a hard copy of your paycheck.

3. All evidentiary paperwork that you have to support your statement of claim i.e.:
    - FRA tie up reports,
    - board snapshots,
    - train line-ups,
    - car numbers,
    - switch lists,
    - work orders,
    - dates, times and names of callers if CMS is involved
    - Name of person instructing you to perform the event that initiated the violation/claim
    - Name of any employees involved i.e. mechanical department employee on EOT claims

Note: The FRA tie-up reporting must be accurate and complete. Report each train(s) (Steel Wheels) you worked and any transports/deadheads (Rubber Wheels) that you had during a tour of duty. Ensure all CIRC 7 locations, mileposts and terminals are accurate. If you are going to make a claim for anything other than normal pay, make a copy of your FRA data when you tie-up.

Remember the burden of proof falls on YOU the Claimant.

The claim is only as good as the evidence provided and the timeliness in which it is filed.