

New Hours of Service Rules Become Effective July 16

Focus: Ten Hours of Undisturbed Time Off

The new hours of service rules for T&E and signal employees become effective on July 16, 2009. One of the new provisions requires that employees receive 10 consecutive hours of undisturbed time off between duty tours. An unsolicited communication from railroad employees, contractors or agents to the resting employee regarding company business will restart the 10-hour period, delaying the time when the employee can begin the next duty tour.

Accordingly, effective July 16, 2009, anyone wishing to contact a T&E or signal employee on company business must first follow the procedures outlined below. An employee on undisturbed time off may not be contacted by telephone, pager, e-mail, text message, or in any other manner that could reasonably be expected to disrupt the employee's rest.

- Before contacting a T&E employee on company business, check the “**Do Not Call**” screen on the Gateway at My Work > Tools > Employee Rest Inquiry. The screen advises when an employee may not be contacted, and when the undisturbed time off period will end and contact is permitted.
- Before contacting a signal employee on company business, call the Jacksonville signal desk to determine whether the employee can be contacted at that time. The number for the signal desk is 877-553-3370. (C&S officers may access employee status information directly through TCIS.)
- **Exceptions**
 - It is not necessary to follow the above procedures when responding to an inquiry from the employee. However, your communication must be limited to the issue raised by the employee.
 - It is not necessary to follow the above procedures when providing information voluntarily requested by the employee, provided that the employee is not required to access the information or respond to it during the undisturbed time off period.
 - If an employee has a CSX e-mail address, you may send an e-mail to that address during the undisturbed time off period provided the employee is not required to access the e-mail or respond to it during the undisturbed time off period.

Effective July 15, questions may be directed to the Hours of Service Help Desk at 866-292-2602.

To: All CSXT Transportation Supervisors and Train and Engine Service Employees

Subject: Information on Hours of Service (HOS) Changes for Train and Engine Service Employees

One of the most significant changes facing our Train and Engine Service work force is the July 16, 2009 implementation of the new Hours of Service law. Recently, Michael Ward's Friday Weekly Message focused on these HOS changes. A key part of that message was CSXT's commitment to informing you of developments as we all adjust to the upcoming HOS changes. Letters were sent to Supervisors and T&E Employees two weeks ago with important information covering the upcoming changes. As a follow up to those letters, we wanted to share some additional or late breaking information:

• **The Hours of Service changes take effect at 0000 July 16, 2009**

FRA recently advised that the new limits on consecutive calendar day starts, monthly limbo time and monthly service apply only to service on and after July 16. Service between July 1 and 15 will not be counted.

• **Separate Deadhead is not a Start for HOS Purposes**

The new HOS law requires that an employee receive 48 consecutive hours off at the home terminal after starting a tour of duty on 6 consecutive calendar days, or 72 consecutive hours off if the employee works back to the home terminal on the 7th day. Based on recent interpretations from the FRA, a separate deadhead is not a "start". Therefore if a separate deadhead is the only start on a calendar day, that day would break the cycle of consecutive calendar day starts.

• **Ten Hours Undisturbed Time Off will begin at final off duty**

Effective July 16, 2009, your first 10 hours off duty will be your period of undisturbed time off. Although there could be changes later this year as FRA, the railroads, and the unions review the matter further, FRA's recent interpretations approve this application of the law on an interim basis. Additionally, if time on duty including waiting for or in deadhead transportation exceeds 12 hours, the amount of time over 12 hours will be added to the employee's 10 hours of undisturbed time off.

• **New Operating Rule R**

The revised Rule (quoted below), includes changes to the requirements for communication by train crews when close to the new HOS limits.

R. Employees Subject to the Hours of Service Act.

An employee subject to the Hours of Service Act must give the proper authority sufficient advanced notice if it becomes apparent that he/she will be unable to complete the trip or tour of duty within the lawful periods. For monitoring purposes the employee must:

1. After being on duty nine hours, the employee will notify the train dispatcher of the time that he/she will have been on duty twelve hours.
2. The employee will notify the dispatcher before departure from originating terminal if he/she has reached 264 total hours on duty or 25 total hours of qualifying limbo time for the calendar month.

An employee exceeding the maximum limits of the Hours of Service Law must report all excess service and circumstances to their immediate supervisor.

An employee called to report for service, who has not completed their mandatory undisturbed rest, must inform the caller before accepting the duty call.

An employee who has had undisturbed rest period interrupted must immediately notify the crew caller so that the rest period can be reset. The employee must inform the crew caller the following:

- *Time rest was interrupted
- *Name of person that caused the interruption
- *Circumstance that caused the interruption."

• **CSXT's "Do Not Call" Process**

We have established procedures for any CSXT employees or agents to determine if a Train and Engine Service employee is observing his/her ten hour undisturbed time off as mandated in the new HOS. We have a Web based process on the Gateway and a notation field in the Crew Management System. The process will assist employees in various departments that routinely contact T&E employees to avoid interrupting their rest. But, if your rest is interrupted, it is your obligation to notify Crew Management immediately so your rest can be adjusted.

If you have any questions, please use the special Hours of Service Help Desk that will be available beginning on July 15, 2009. The toll free number is: (866) 292-2602.

Sincerely,

James M. Marks
VP Safety

Hours of Service – **Do Not Call**

Updated 7-2-2009

How tomorrow moves



New FRA Law Effective July 16, 2009

During a T&E employee's undisturbed off duty period a railroad carrier, officers, and agents shall not communicate with the employee by telephone, by email, by pager, or any other manner.

**Questions after July 16, 2009 should be
directed to the Help Desk**

1-866-292-2602

Before Calling a T&E Employee Check Their Status

- You can not interrupt an employee's undisturbed time off
- Before contacting an employee you must check their status by one of the following methods:
 - Access Employee Rest Status Inquiry on Gateway and be governed by the message displayed.
 - Go to: My Work → Tools → Employee Rest Inquiry
 - Information is also available on the Crew Calling System SYD2 → 23 screen and hit the F8 key

No Personal Information Will Be Displayed on the Gateway

Example: HOS – Do Not Call Screen (Gateway)

My Work → Tools →
Employee Rest Inquiry

Do Not Call Screen gives
clear directions to anyone
needing to contact a T&E
employee covered by
Hours of Service

HOS Hours of Service **CSX**

Home Hours of Service

Employee Rest Status Inquiry

Employee ID 196751 ABELL MO Search

Contact Status

Employee is Observing Undisturbed Rest and cannot be contacted
Rest is scheduled to end 05/29/09 15:00
This information is valid as of 05/29/09 14:18.

HOS Hours of Service **CSX**

Home Hours of Service

Employee Rest Status Inquiry

Employee ID 507030 ARNOLD WF Search

Contact Status

Employee is on Duty and cannot be contacted
This information is valid as of 06/02/09 13:50.

HOS Hours of Service **CSX**

Home Hours of Service

Employee Rest Status Inquiry

Employee ID 204067 ALDEN JR Search

Contact Status

Employee is not working and can be contacted
This information is valid as of 06/02/09 13:44.

Example: SYD2 → 23 screen and hit the F8 key

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DIST: JX SDIST: JT      EMPLOYEE TELEPHONE INFORMATION      PSTS05T

EMPLOYEE NAME: ( JONES          AA          )  NUMBER: ( 000976151 )

**** DO NOT CALL ****      HOME TELEPHONE INFO

TELEPHONE      ADDITIONAL      COMMENTS/      BEEPER? TYPE
NUMBERS        PHONE NUMBER    INFO           Y/N
PRI: 999 999 9999 UNLISTED: N
SEC: 999 991 1111      IVR CHANGE      N
ALT:

      ALT EXPIRES:      NEXT ASGN:
      AWAY TELEPHONE INFO

TELEPHONE      ADDITIONAL      COMMENTS/      BEEPER? TYPE ROOM
NUMBERS        PHONE NUMBER    INFO           Y/N           NBR
PRI: 999 999 9999
SEC: 999 991 1111      IVR CHANGE      N
ALT:

      ALT EXPIRES:      NEXT ASGN:

      LAST UPDATED: 061309 1101 BY MCCR
ENTER=INQUIRE  PF1=HELP  PF3=EXIT  PF5=UPDATE  PF9=DELETE  PF12=NEXT EMPLOYEE
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