

ARTICLE VI - PERSONAL LEAVE

Section 1

Employees in road freight service covered by this Agreement and not covered by the National Paid Holiday Rules shall be provided with personal leave days on the following basis:

<u>Years of Service</u>	<u>Personal Leave Days</u>
Less than five years	3 days
Five years and less than 10 years	5 days
Ten years and less than 15 years	7 days
Fifteen years and less than 20 years	9 days
Twenty years or more	11 days

Section 2

No employee covered by this Agreement shall receive in the aggregate more than eleven (11) personal leave days and paid holidays in any calendar year.

Section 3

(a) Personal leave days provided in Section 1 shall be scheduled with the approval of the proper carrier officer upon forty-eight (48) hours' advance notice from the employee.

(b) The employee will be paid one basic day at the rate of the last service performed for each personal leave day.

(c) Any personal leave days provided for herein that are requested but denied by the carrier and not subsequently rescheduled during the calendar year or the first quarter of the following calendar year shall be paid at the rate specified herein. Personal leave days carried over into another year because requested time off was denied by the carrier shall not be bought out.

(d) To qualify for personal leave days in any given calendar year, the employee must have been credited with at least 150 days for work during the preceding calendar year.

Section 4

Nothing in this Article is intended to restrict any of the existing rights of a carrier.

INTERPRETATION
Between
UNION PACIFIC RAILROAD COMPANY
And
BROTHERHOOD OF LOCOMOTIVE ENGINEERS

.....

PERSONAL LEAVE DAYS

1. For calendar year 2002 (qualifying year 2001) and all succeeding years, this Document constitutes an interpretation of how Section 3(d) of Article VI (Personal Leave) of the May 31, 1996, BLE National Agreement is to be interpreted by the parties signatory hereto for those employees in road freight/passenger service not covered by the National Paid Holiday Rules.
2. For an employee in road freight/passenger service not covered by the National Paid Holiday Rules to qualify for personal leave days in any given calendar year, the road requirements set forth in Sections 2 (a), including the NOTE, (b), (c) and (d) of Article V of the May 31, 1996, BLE National Agreement will govern.

NOTE: It is the parties' intention this Paragraph requires 180 qualifying days in a calendar year in road freight/passenger service to qualify for personal leave days in the succeeding year.
3. The multiplying factors provided for in Paragraph 2, above, will not apply to an employee in any payroll half during which the employee had an unpaid absence (lay-offs).
4. For an employee to whom the multiplying factors will not apply, only the employee's actual tours of duty in that payroll half will be counted toward the 180 qualifying days. A tour of duty is defined as follows: a working start, a straight deadhead trip, a combination deadhead and service trip, company service status or a call and release when the employee reported for duty, performed service and then was released. A separate and apart deadhead trip followed immediately upon tie-up at the far terminal with a return working trip will count as two starts for personal leave day qualifying purposes.
5. This interpretation for determining qualifying days for personal leave days will also be used to determine eligibility for personal leave days in calendar year 2001 for the employees who previously did not qualify for personal leave days in 2001. No later than thirty days after the BLE has notified the Carrier this Document is acceptable, the Carrier will notify those employees whether they now qualify for personal leave days.

ATTACHMENT A

PERSONAL LEAVE DAY ACCUMULATION

Q-1. Do PL days earned but not taken get paid upon retirement the same as vacation?

A-1. Yes.

Q-2. How does an engineer advise the carrier of his/her desire to accumulate PL days?

A-2. PL days not used or not approved in a calendar year prior to November 15 will automatically be accumulated.

Q-3. How many days may an engineer accumulate?

A-3. 60 days.

Q-4. Once PL days are accumulated, when may an engineer use them?

A-4. Accumulated PL days may be used only at retirement, resignation, extended leave, death or catastrophic personal or family occurrence.

Q-5. Assuming an engineer has accumulated PL days, will his/her estate be paid for the accumulated PL days upon the engineer's death?

A-5. Yes.

Q-6. Assuming an engineer has begun an extended leave just prior to a general wage increase, will all PL days taken be paid at the rate of the last service performed or will the rate be increased when the general wage increase goes into effect?

A-6. Payment will be at the rate of the last service performed.

Q-7. May the Carrier unilaterally buy down an engineer's accumulated PL days?

A-7. No.

Q-8. What rate of pay will be used for accumulated PL days?

A-8. Payment will be at the rate of the last service performed.

QUESTIONS AND ANSWERS

Q-1. Do assigned rest days constitute an unpaid absence for the purpose of personal leave day qualification determination?

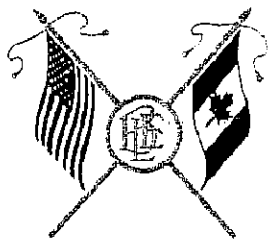
A-1. No. Where rest days are assigned in passenger, pool freight, work/rest extra board, yard or local service, such rest days will not be considered unpaid absences.

Q-2. Where there is an applicable rule, a union representative is allowed to hold his/her turn for union business, does that constitute an unpaid absence?

A-2. No.

Q-3. In the event an engineer identified as having failed to qualify for personal leave days at the end of the qualifying year disputes that finding on the basis of whether unpaid or paid leave had been taken during any pay period(s), how will such dispute be resolved?

A-3. The appropriate general chairman and CMS director will review the matter. If the engineer had personal leave days available at the time(s) of the disputed lay-off, such lay-off will be considered as paid leave provided doing so would not result in the engineer having more personal leave days than those to which he/she was entitled.



Brotherhood of Locomotive Engineers

General Committee of Adjustment
Union Pacific Railroad - Northern Region

B.D. MACARTHUR
CHAIRMAN

M.L. ELSBERRY
VICE CHAIRMAN

M.L. MERCIER
SECRETARY-TREASURER

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Clinton, Iowa
November 26, 2001

CIRCULAR LETTER NO. 15

LOCAL CHAIRMAN BLE/CNW/UP
GENERAL COMMITTEE OF ADJUSTMENT

Dear Sirs and Brothers:

As an enclosure for each of you is a copy of Question and Answer 4-13 to the February 21, 2001 personal leave day interpretation.

I believe the questions and answers are self-explanatory. However, should a question arise, please feel free to call or write regarding same.

Fraternally yours,

B. D. MacArthur
General Chairman, BLE

BDM:sjm
Enclosure

October 2, 2001

The February 21, 2001 "INTERPRETATION Between UNION PACIFIC RAILROAD COMPANY And BROTHERHOOD OF LOCOMOTIVE ENGINEERS" concerning Personal Leave Days includes 3 agreed upon questions and answers (in addition to the 8 questions and answers dealing with PERSONAL LEAVE DAY ACCUMULATION in ATTACHMENT A). UP and BLE have now agreed upon 10 additional questions and answers as set forth below:

Q-4. Give examples of the calculation of qualifying days for personal leave (PL) day purposes?

A-4. a) A road engineer working in service not covered by the paid holiday rules has no unpaid absence during a pay half. For the half the engineer earns 2000 miles. $2000 \times 1.3 = 2600/130 \text{ miles} = 20 \text{ qualifying days}$ toward PL days.

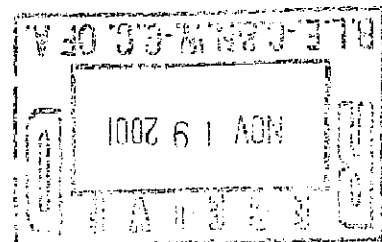
b) A road engineer working in service not covered by the paid holiday rules, takes an unpaid absence during a pay half in which the engineer gets 8 tours of duty. For the half, the engineer is credited with 8 qualifying days toward PL days.

c) An engineer working in service covered by the paid holiday rules gets 11 tours of duty during a pay half. For the half, the engineer is credited with 11 qualifying days toward PL days, regardless of whether the engineer had an unpaid absence during the half.

Q-5. What miles are to be included (such as straight time, overtime, duplicate time payments) in the calculation of qualifying days for Personal Leave (PL) day purposes?

A-5. In pay halves where the engineer qualifies for the multiplying factor, working/deadhead miles counted for vacation qualification will be counted toward qualifying days for PL day purposes, and handled as set forth in A-4, item a, above.

Q-6. When an engineer works both jobs covered and not covered by the paid holiday rules in a pay half, and has no unpaid absence, how will PL qualifying days be counted?



A-6. Service covered by the paid holiday rules will be governed by section c of Answer #1 above. Service not covered by the paid holiday rules will be governed by section a of A-4 above.

Q-7. The vacation agreement provides that calendar days an engineer assigned to an extra board is available for service and on which days the engineer performs no service, not exceeding ninety (90) such days, will be included in the qualification for vacation. Also, calendar days, not in excess of forty-five (45), on which an engineer is absent from and unable to perform service because of injury received on duty will be included. Will such days be counted toward the required 180 qualifying days for PL purposes?

A-7. Yes, consistent with the vacation agreement.

Q-8. Does the 2/21/01 interpretation prohibit the Company from approving PL days during the period November 15 through December 31 when the request is made after November 15?

A-8. No, but the holidays make it more likely approval for PL days will be more difficult during this period than at other times during the year. For this reason, engineers should realize an attempt to save PL days with the intent of using them during this period may result in such days being denied and accumulated..

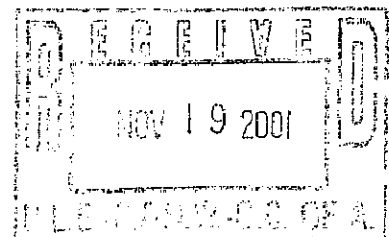
Q-9. An engineer is entitled to 7 PL days during the year. The engineer's first request for personal leave days during the year is on May 14, when 2 days are requested, but not approved. Are those 2 PL days automatically accumulated, or may the engineer request them again later in the year?

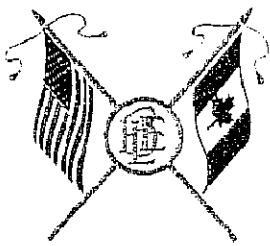
A-9. Those 2 PL days may be requested again during the year

Q-10. Are remaining PL days which are not approved to be taken during the period November 15 through December 31 automatically accumulated on November 15?

A-10. No, unused PL days are not accumulated until year end at December 31. Unused PL days may be reduced by paid holidays or PL days taken during the period November 15 through December 31.

Q-11. May an engineer donate accumulated PL days to another employee?





Brotherhood of Locomotive Engineers

General Committee of Adjustment
Union Pacific Railroad - Northern Region

B.D. MACARTHUR
CHAIRMAN

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VICE CHAIRMAN

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SECRETARY-TREASURER

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Clinton, Iowa
February 22, 2002

CIRCULAR LETTER NO. 3

LOCAL CHAIRMAN BLE/CNW/UP
GENERAL COMMITTEE OF ADJUSTMENT

Dear Sirs and Brothers:

As an enclosure, please note a copy of Questions and Answers 14-33 as a supplement to the February 21, 2001 personal leave day interpretation.

I believe the Question and Answers are self explanatory. However, should a question arise, please feel free to call or write regarding same.

Fraternally yours,

B. D. MacArthur
General Chairman, BLE

BDM:sjm
Enclosure

UNION PACIFIC RAILROAD COMPANY

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EMPLOYEE RELATIONS PLANNING
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OMAHA, NEBRASKA 68179



February 19, 2002

1615-4

T. J. Donnigan, General Chairman
Brotherhood of Locomotive Engineers
P.O. Box 609
Pocatello, ID 83240-0609

M. A. Young, General Chairman
Brotherhood of Locomotive Engineers
1620 Central Avenue, Room #203
Cheyenne, WY 82001

B. D. MacArthur, General Chairman
Brotherhood of Locomotive Engineers
217 Fifth Avenue South, Suite #502
Clinton, IA 52732

Gentlemen:

A copy of agreed upon Questions and Answers #14-33 to the February 21, 2001 personal leave day interpretation is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "W. E. Loomis". The signature is fluid and cursive, with a large loop at the end.

W. E. Loomis

cc: D. L. McPherson, Vice President
Brotherhood of Locomotive Engineers
535 McKnight Road South
St. Paul, MN 55119

RECEIVED

FEB 21 2002

U.P. NORTHERN REGION
G.G. OF A.

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December 19, 2001

1615-4

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Gentlemen:

Ten agreed-upon questions and answers (#4 - #13) to the February 21, 2001 personal leave day interpretation are dated October 2, 2001. Since then, we have had discussions concerning additional questions involving the interpretation. Twenty (20) additional questions and answers stemming from those discussions appear below.

* * * * *

Q14: Are the miles earned by an engineer working in service covered by the paid holiday rules increased by the multiplying factor for a half in which there is no unpaid absence?

A14: No, in such service only starts, without a multiplying factor, count as qualifying days for purposes of PL days.

Q15: When a ground service employee is promoted to engineer during a calendar year, is that employee's use of PL days while an engineer subject to the qualifying criteria in the 2/21/01 interpretation?

A15: Yes, based on trips during the preceding calendar year.

Q16: Do trips worked in ground service count toward PL qualifying?

A16: Yes, ground service will be combined with engineer service during the same calendar year to determine PL qualifying days for the subsequent calendar year, and handled as set forth in Q&A #4.

Q17: What is meant by "performed service" in item 4 of the 2/21/01 interpretation?

A17: If an engineer is entitled to at least a basic day under the applicable call and release rule, then the call and release will count as one (1) PL qualifying day.

Q18: Is military duty considered a compensated absence?

A18: No.

Q19: How is a make whole/step-up payment treated for PL day qualification?

A19: If the engineer is assigned in service not covered by the paid holiday rules and has no unpaid absence during the pay roll half, a make whole/step-up payment will be converted to PL qualifying days by multiplying the make-whole/step-up miles x 1.3 and then dividing by 130 as in Q&A #4.

Q20: An engineer is assigned in yard service continuously during the first 11 months of calendar year 2003, and then takes a road assignment not covered by the paid holiday rules during December. How is the engineer's PL day qualification for 2004 determined?

A20: For each pay half during the period January – November, the engineer's yard service starts are counted as qualifying days for purposes of PL days. During December, qualifying days will be determined in accordance with items a) and b) in Q&A #4. The qualifying days earned during each payroll half during calendar year 2003 will be added. If the total is 180 or more, the engineer will be qualified for PL days during 2004, subject to the terms of the agreement..

Q21: An engineer earned more than 180 qualifying days for PL purposes during calendar year 2002. During calendar year 2003 that engineer works the entire year on assignments covered by the paid holiday rules. Would such engineer be entitled to take PL days during 2003?

A21: No, because an engineer is not able to take PL days when he/she is assigned to a position covered by the paid holiday rules.

Q22: An engineer qualified for PL days works in holiday covered service through October 31, 2003, and then moves to road freight service not covered by paid holiday rules. Will the engineer be able to take PL days during November and December?

A22: Yes, subject to the terms of the 2/21/01 interpretation, but the engineer's annual entitlement to PL days would be reduced by paid holidays or holiday opportunities during the period the engineer was working in service covered by the paid holiday rules.

Q23: How does an employee's craft on December 31 affect the treatment of unused PL days from that calendar year?

A23: If the employee is an engineer on the last day of the year, any unused PL days from that year are accumulated in accordance with Attachment A to the 2/21/01 interpretation. If the employee is working in another craft on the last day of a year, any unused PL days from that year will be handled in accordance with the agreement governing that craft. For example, if the employee is working as a trainman, and the agreement governing trainman contains a provision for carry-over of unused PL days, any unused days will be carried over in accordance with the terms of the trainmen's agreement.

Q24: If an employee has carry-over days under the UTU CBA, and is set up as an engineer, will the employee be eligible to take the carry-over PL days?

A24: Yes, prior to the UTU CBA carry-over expiration date .

Q25: If an engineer worked the entire calendar year 2003 on assignments covered by the paid holiday rules, would such engineer's unused current year PL days at year end be accumulated?

A25: The engineer has no PL days to accumulate because the engineer was covered by the paid holiday rules throughout the year.

Q26: Is an employee who has accumulated PL days entitled to use or donate accumulated days if the employee is working in a craft other than locomotive engineer?

A26: No.

Q27: When an engineer uses accumulated days, will the payment for such days be included in the calculation of 1/52 vacation pay for the subsequent calendar year?

A27: Yes.

Q28: Can the lump-sum payment for accumulated PL days be used to offset labor protection?

A28: Yes.

Q29: If an extra engineer uses accumulated PL days during an otherwise unpaid absence, will such engineer be considered "on the board" for guarantee purposes?

A29: No.

Q30: Can an accumulated day be used for rest/layover day compensation?

A30: No.

Q31: Referring the Q&A #3 of the 2/21/01 interpretation - in the event an engineer has failed to qualify for PL days at the end of a year, may the engineer use an accumulated PL day from a prior calendar year to convert a disputed lay-off to a paid absence?

A31: No, only current year PL days may be used in such a situation.

Q32: May an engineer be paid one or more accumulated days for a day on which the engineer is already being compensated, e.g., takes three (3) days of paid bereavement leave and requests to be paid for 3 accumulated days?

A32: No.

Q33: May an engineer use an accumulated day to offset unpaid days under the National Bereavement rule, e.g., absent 3 days but only compensated for 2 days because only stood to have worked 2 of those days?

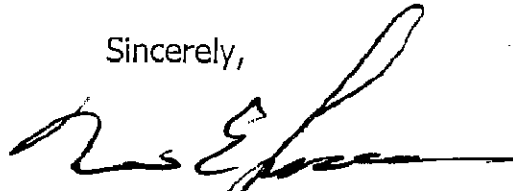
A33: No.

* * * * *

Please signify your concurrence in these questions and answers with your signature in the space provided below.


The parties recognize additional questions relating to the February 21, 2001 personal leave day interpretation may arise. In that event, the parties will discuss the proper application of the interpretation and attempt to agree on an answer.

Sincerely,

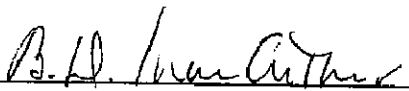


W. E. Loomis

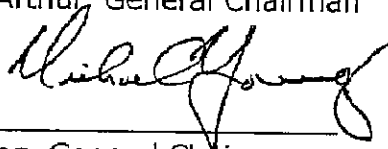
Concur:



T. J. Donnigan, General Chairman



B. D. MacArthur, General Chairman



M. A. Young, General Chairman

cc: D. L. McPherson, Vice President
Brotherhood of Locomotive Engineers
535 McKnight Road South
St. Paul, MN 55119



April 1, 2002

1615-4

Mr. T.J. Donnigan
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Mr. M.A. Young
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Mr. B.D. MacArthur ✓
General Chairman BLE
217 Fifth Ave. South, Suite 502
Clinton, Ia. 52732

Gentlemen:

This refers to the Personal Leave Days Interpretation dated February 21, 2001 governing Article VI of the May 31, 1996 BLE National Agreement. Recently individual engineers have contacted CMS and/or Timekeeping requesting to use accumulated personal leave days for reasons they feel meet the "retirement, resignation, extended leave, death or catastrophic personal or family occurrence" requirement as set forth in Question and Answer No. 4 of Attachment "A".

To promote a uniform application consistent with the intent of the February 21, 2001 Interpretation and to help facilitate and administer such requests, engineers should contact your office or their Local Chairperson directly. In turn, your office should submit in writing the bonafide reason(s) to the Labor Relations Director. Therefore, please advise your Local Chairpersons, should they receive a request from an engineer, same should be handled through your office.

The appropriate Director will review the request and advise your office as promptly as possible.

If you have any questions regarding this please do not hesitate to call at your convenience.

Yours truly,

S.F. Boone
Director - Labor Relations

J.G. Albano
Director - Labor Relations

F.A. Tamisiea
Director - Labor Relations