

RULE 20 – TIME LIMIT ON CLAIMS

- a. A claim for compensation alleged to be due may be made only by a claim or, on his behalf, by a duly accredited representative. No later than 60 days from the date of the occurrence on which the claim is based, a claimant or his duly accredited representative must submit two timeslips alleging the claim to the officer of the Corporation designated to receive timeslips. The representative of the Corporation who receives the timeslips from the claimant or from his duly accredited representative must acknowledge receipt of the timeslips by signing and dating them, and return the duplicate copy to the claimant or his duly accredited representative. If not presented in the manner outlined in this paragraph, a claim will not be entertained or allowed, but improper handling of one claim will not invalidate other claims of a like or similar nature. No monetary claim will be valid, unless the claimant was available, qualified, and entitled to perform the work.
- b. If a claimant is absent because of sickness, temporary disability, leave of absence, vacation or suspension, the 60-day time limit will be extended by the number of days the claimant is absent.
- c. To file a claim, a claimant or his duly accredited representative will be required to furnish sufficient information on the time slip to identify the basis of the claim, such as:
 - 1. Name, occupation, employee number, division.
 - 2. Train symbol or job number and engine number(s).
 - 3. On and off duty time.
 - 4. Date and time of day work performed.
 - 5. Location and details of work performed for which claim is filed.
 - 6. Upon whose orders work was performed.
 - 7. Description of instructions issued to have such work performed.
 - 8. Claim being made, rule if known, and reason supporting claim.
- d. When a claim for compensation alleged to be due is not allowed, or should payment be made for less than the full amount claimed, the claimant will be informed of the decision and reasons for it, in writing, within 60 days from the date that claim is received. When the Claimant is not so notified, the claim will be allowed, but such payment will not validate any other such claims, nor will such payment establish any precedent.

Note: By agreement dated August 2, 1983, Paragraph D of Rule 20 is amended as follows:

- 1. Passenger Engineers will furnish all information required on time slips so that the proper identification of payments can be made.

2. An itemized statement of the employee's daily earnings for each pay period will be furnished with the employee's pay draft. A brochure type pamphlet containing applicable

codes will be provided each employee to enable him to determine what payments were made for each date.

3. The requirement set forth in paragraph (d) of Rule 20 for initial denial of monetary claims for compensation alleged to be due will be satisfied when a monetary claim is identified and disallowed on an itemized statement of earnings form issued within the time limit specified in Rule 20. If an employee feels he has been improperly paid on the itemized statement of daily earnings form, he will submit his claim or grievance to the Local Chairman for appeal handling in accordance with paragraph (e) of Rule 20.
 4. The itemized statement of daily earnings form will serve as notification of payment of claims and no further notification will be required.
 5. Employees should use the itemized statement of daily earnings as the basis of reporting any overpayment.
- e. A claim for compensation, properly submitted, which has been denied, will be considered closed unless the Local Chairman, within 60 days from the date of denial, lists the claim in writing for discussion with the designated Labor Relations officer. When a claim for compensation is denied following such discussion, the Labor Relations officer will notify the Local Chairman in writing within 60 days from the date of such discussion. When not so notified, the claim will be allowed as presented, but such payment will not validate any other such claim nor will such payment establish any precedent.
- f. A claim for compensation denied in accordance with paragraph (e) above, will be considered closed unless, within 60 days from the date of the denial, the Local Chairman presents a written request to the Labor Relations officer for a Joint submission.

A Joint Submission will consist of a Subject which will be the claim as submitted to the Labor Relations officer, a Joint Statement of Agreed Upon Facts, a Position of Employees, and a Position of the Corporation.

If the parties are unable to agree upon a Joint Statement of Agreed Upon Facts, the Local Chairman may progress the claim as an Ex Parte Submission. An Ex Parte Submission will consist of a Subject which will be the claim as submitted to the Labor Relations officer, a Statement of Facts, and a Position of the Employees.

- g. 1. When a Local Chairman makes a request for a Joint Submission, he will prepare a proposed Joint Statement of Facts together with the Position of the Employees and submit it to the Labor Relations officer. If the proposed Joint Statement of Facts meets with the approval of the Labor Relations officer, the Labor Relations officer will complete the Joint Submission within 60 days from the date of receipt of the proposed Joint Statement of Agreed Upon Facts, by including the Position of the Corporation. Three copies of the completed Joint Submission will be furnished to the Local Chairman. Failure to complete the Joint Submission within the time limit set forth, the specific claim

will be allowed as presented, but such payment will not validate any other such claims nor will such payment establish any precedent.

2. If the proposed Joint Submission of Facts does not meet with the approval of the Labor Relations officer, the Labor Relations officer will submit a revised proposed Joint Submission of Agreed Upon Facts to the Local Chairman. If the Local Chairman agrees with the revised proposed Joint Submission of Facts, he will notify the Labor Relations officer accordingly. The Labor Relations officer will complete the Joint Submission within 60 days from the date of receipt of the approval of the Joint Submission of Agreed Upon Facts, by including the Position of the Corporation, and furnish three copies of the completed Joint Submission to the Local Chairman. Failure to complete the Joint Submission within the time set forth, the specific claim will be allowed as presented, but such payment will not validate any other such claims nor will such payment establish any precedent.
3. If the Local Chairman does not agree with the proposed revised Statement of Facts submitted to him by the Labor Relations officer and the claim is to be progressed as an Ex Parte Submission, the Local Chairman will so notify the Labor Relations officer in writing within 15 days from the date the Labor Relations officer forwarded the proposed revised Statement of Facts to the Local Chairman. The Local Chairman will complete and submit three copies of the Ex Parte Submission to the Labor Relations officer within 30 days from the date of his notification to the Labor Relations officer of his intent to progress an Ex Parte Submission. Failure to complete the Ex Parte Submission within the time limit set forth herein, the claim will be considered closed.
- h. The General Chairman will have 60 days from the date on which the Joint Submission or Ex Parte Submission is completed in which to list the claim, in writing, with the highest appeals officer, for discussion. If the claim is not listed within 60 days from the date the submission is completed, the claim will be considered closed.

When a claim for compensation properly progressed in accordance with this Rule is not allowed following discussion between the General Chairman and the highest appeals officer, the highest appeals officer will notify the General Chairman of his decision, in writing, within 90 days from the date of such discussions. When not so notified, the claim will be allowed as presented, but such payment will not validate any other such claims nor will such payment establish any precedent.

- i. The decision of the highest officer of the Corporation designed to handle claims will be final and binding unless, within six months after the date of that decision, the officer is notified in writing that His decision is not accepted. In the event of such notification, the claim will become invalid unless, within one year from the date of the Corporation's decision, the claims are disposed of on the property or submitted to a tribunal having jurisdiction pursuant to law or agreement, unless the parties mutually agree to other proceedings for final disposition of said claims.
- j. The time limit provisions in this Rule may be extended at any level of handling in any particular case by mutual consent of the duly authorized officer of the Corporation or representative of the Organization.

k. The time limits set forth herein do not apply in discipline cases.

Q & A – RULE 20 – TIME LIMITS

Q1. Is a denial by the Carrier required when a time claim is not submitted in duplicate and/or properly receipted as required by Rule 20?

A1. No. Paragraph (a) specifically states that such claims will not be entertained. **Agreed:**
6/23/83