

**RULE 43 – CERTIFICATION ALLOWANCE**

Passenger Engineers shall be paid a certification allowance of five dollars (\$5.00) per day, effective August 1, 1998.

**Q & A's – RULE 43 – CERTIFICATION ALLOWANCE**

Q1. What is the effective date for the commencement of payment of the \$5.00 certification allowance? A1. August 1, 1998.

Q2. Who is eligible to receive the certification allowance?

A2. A certified locomotive engineer who performs service in that capacity. Thus, for example, the certification allowance would be payable to a certified locomotive engineer who is:

- working as a pilot;
- doing a check ride on a simulator;
- doing a territory familiarization trip;
- working full time as a Locomotive Engineer Training Program Instructor.

Q3. On what basis is the certification allowance payable? A3. The certification allowance is payable for each start made as a certified locomotive engineer in yard and/or road service. See also Q & A 2.

Q4. What is the amount of the certification allowance?

A4. The certification allowance is \$5.00 per start. There is no overtime component.

Q5. Is the certification allowance payable on any calendar day during which an eligible employee does not have a start?

A5. No. The certification allowance is not payable on any calendar day during which an eligible employee does not have a start, irrespective of whether the employee is paid for that day. Thus, the certification allowance is not payable in the following examples (which assume in each case that the employee did not have a start during that calendar day):

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| <ul style="list-style-type: none"><li>• Deadheading</li><li>• Personal Leave days</li><li>• Holidays</li><li>• Bereavement Leave</li><li>• Jury Duty</li></ul> | <ul style="list-style-type: none"><li>• Paid days for attending court, inquests, investigations, safety/training sessions, etc.</li><li>• Day for which penalty payments are made such as:</li><li>• Payments made when an engineer is called and released without actually operating a train, run arounds, etc.</li></ul> |
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- Payments made under the Held Away From Home Terminal rules.
- Q6. A certified locomotive engineer's run starts at 4:00 p.m. on Day One and is completed at 1:00 a.m. the next day (Day Two). What certification allowance is payable to that employee? A6. The employee is paid one \$5.00 allowance for the start on Day One.
- Q7. A certified locomotive engineer's run starts on Day One and is completed before midnight. Employee is deadheaded in combination service back to his home terminal and the deadhead is completed on Day Two. What certification allowance is payable to that employee?
- A7. The employee is paid one \$5.00 allowance for the start on Day One.
- Q8. A certified locomotive engineer starts and completes his run on Day One but is held on duty past midnight for testing under FRA alcohol and drug rules. What certification allowance is payable to that employee?
- A8. The employee is paid one \$5.00 allowance for the start on Day One.
- Q9. A certified locomotive engineer is called for a 12:01 a.m. assignment on Day One, but reports fifteen (15) minutes early to perform an engine inspection. What certification allowance is payable to that employee?
- A9. The employee is paid one \$5.00 allowance for the Day One start.
- Q10. A certified locomotive engineer starts his run on Day One and ties up at 11:55 p.m. on that same day, but completes reports until 12:05 a.m. on Day Two. What certification allowance is payable to that employee?
- A10. The employee is paid one \$5.00 allowance for the Day One start.
- Q11. A certified locomotive engineer starts and completes two (2) assignments during the same calendar day. What certification allowance is payable to that employee?
- A11. The employee is paid one \$5.00 allowance for each start, or a total of \$10.00.
- Q12. A certified locomotive engineer starts his run at 4:00 p.m. on Day One and ties up at 1:00 a.m. on Day Two at the completion of that tour of duty. That employee is then called for an assignment on Day Two at 1:00 p.m. which ties up at 10:00 p.m. What certification allowance is payable to that employee?
- A12. The employee is paid one \$5.00 allowance for the start on Day One, and a second \$5.00 allowance for the start on Day Two.
- Q13. What certification allowance is payable to a certified locomotive engineer for a start for which he is compensated for two or more basic days under agreement rules?
- A13. The employee is paid one \$5.00 allowance for that start.
- Q14. Are certification allowance payments received by a certified locomotive engineer included in his compensation for purposes of computing vacation pay entitlement?

- A14. Yes, when such vacation pay entitlement (for each week) is calculated on the basis of 1/52 of the previous calendar year's compensation. If the vacation pay entitlement (for each week) is paid at the rate of the last service rendered, however, certification allowance payments received would not be taken into account because such allowance payments do not constitute an element of the pay rate.
- Q15. Are certification allowance payments credited toward guarantees in protective agreements or arrangements?
- A15. Yes, so long as the certification allowance is included for purposes of calculating Test Period Earnings for employees protection purposes under existing protective agreements or arrangements.
- Q16. Are certification allowance payments included for purposes of calculating Test Period Earnings for employee protection purposes under existing protective agreements or arrangements?
- A16. Yes.
- Q17. Is the certification allowance payable in addition to payments required under existing rules for special allowances, differentials, arbitraries, and penalties?
- A17. Yes.