

## **Memo**

**To:** All BLET Local Chairmen

**From:** Michael Young, Chairman-BLET GCA

**Date:** June 26, 2012

**RE:** Waiting for Lodging

This regards the issue of time claims regarding the time spent waiting for a room at the AFHT *after the normal transport time.*

my opinion the proper claim for this event is a basic day penalty (130) miles. I believe that the basis for the penalty claim and Rule support are as follows and should be cited in the claim:

- Section 16 - 1948 BLE National agreement
- Article II, Section 1 – 1964 BLE National Agreement
- 1971 BLE National Agreement
- PLB 6312, Award 269
- FRA's 1991 interpretation on Lodging (Wait time) - 'Reasonable period of time.'

I urge members to file a timely claim on a non-service claim account not provided lodging within a reasonable time – when excess of 30 minutes. NOTE-Existing claims of record will continue to be progressed.

Such claims of record are the foundation to use in the '*minor dispute*' arena (RLA), which will then be docketed for arbitration in accordance with the RLA and the CBA.

Therefore, please advise the membership to utilize this suggested language format on their claims as we progress these issues.

Claim 130 mi basic day account not provided lodging within the prescribed time limit after tie up at the away from home lodging facility. The details are as follow:

Train ID:

Tie Up Time and Circ 7:

Original Rest Time After Tie Up:

Time Departed off Duty Point to Lodging Facility:

Time Arrived at Lodging Facility:

Time Room was actually received and Room Number:

Adjusted rest time for waiting over 30 min. for room:

Room Number xxx had to be cleaned before I was provided a room at the lodging facility.

Reference PLB 6312 Award 269.