

10.4% Penalty Instructions

Follow these directions in submitting timecards for violations of Appendix 7 of the CBA. A violation occurs when the effective hourly rate of the assigned conductor is more than 10.4% less than that of the engineer. Appendix 7 is attached for your convenience.

- Fill in the required information in the first timecard (to pay the difference between what you were paid and 10.4% more than the assigned conductor), alternatively, use the first timecard as a template to fill in a blank timecard.
- Submit the first timecard promptly, as a regular timecard, through the regular procedures.
- If you are not paid the requested difference, fill in, or use as a template, the second timecard marked "Penalty".
- Make a copy of your completed timecard, have both copies stamped, and submit to the proper individual based upon location.
- **Follow the instructions found in TRO-12 7.1.16C for submitting penalty timecards. – THIS IS IMPORTANT!**
- If your penalty timecard is denied, or not answered after 60 days of submission, forward your copy of the timecard to your local chairman. If the timecard was denied include a copy of the denial.

If you have any questions or need assistance please contact your local chairman. Thank you for helping to enforce our contract.

Appendix 7

10.4% Differential

NJ Transit
McCarter Highway & Market St.
P O Box 10009
Newark, NJ 07101

December 29, 1982

Mr. J. P. Carberry, Vice President
Brotherhood of Locomotive Engineers
455 Empire Boulevard
Rochester, New York 14609

Dear Mr. Carberry:

This is to confirm the understanding reached during negotiations of the Agreement between New Jersey Transit Rail Operations, Inc. and the Brotherhood of Locomotive Engineers signed this date that the effective hourly rate of pay of the Engineer shall be no less than 10.4% greater than the effective hourly rate of pay of the Conductor for identical time on duty. The effective hourly rate of pay shall be determined by taking the total daily compensation, including payments for arbitraries and allowance, and dividing it by the actual daily hours on duty or held for duty less any hours not on duty including layovers.

If the foregoing properly sets forth our understanding, please indicate your concurrence by affixing your signature in the space provided below.

Very truly yours,
(original signed by:)

Martin E. Robins
Deputy Executive Director

cc: T. J. Cavan, General Chairman

I CONCUR
(original signed by:)
J. P. Carberry, Vice President

7.1.16C. PENALTY TIME CLAIMS

All penalty time claims should be submitted at the times and locations listed below using the procedure outlined for each location. Any time that a claim is submitted without following the procedures outlined, the claim will be denied.

TICKET RECEIVER'S OFFICES

Penn Station New York

6:15 A.M. Monday through 11:59 P.M. Saturday and Sunday from 7:00 A.M. to 11:59 P.M.

Penn Station Newark

Monday through Friday, 6:00 A.M. to 9:00 P.M.

Hoboken

Monday through Friday 6:00 A.M. to 11:00 P.M.; Saturdays, Sundays, and Holidays 6:45 A.M. to 8:00 P.M. Ticket sellers will date and time stamp the back of all claims with the Ticket Seller I.D. dater.

Hoboken Ticket Office

Monday through Friday, 7:00 P.M. to 11:00 P.M.; Saturdays, Sundays, and Holidays 7:00 A.M. to 10:00 P.M. Ticket sellers will date and time stamp the back of all claims with the Ticket Seller I.D. dater.

Maplewood

T&E Verification Department (Boyden Ave., Maplewood) Monday through Friday, 8:00 A.M. to 4:45 P.M. Verification Department personnel will physically sign, date, and affix their employee number on all claims.

MMC-Yardmaster's Office

Sunday through Saturday - 24 hours a day. Yardmasters will sign and affix their employee number along with the date on the back of all claims received.

Raritan Superintendent's Office

When the clerk is present, Monday through Friday 7:30 A.M. to 3:30 P.M. The clerk will stamp, sign, and affix their employee number on all claims.

Long Branch Superintendent's Office

When the clerk is present, Monday through Friday **7:30 A.M. to 3:30 P.M.** and when the Yardmaster is present. The clerk will date stamp, sign, and affix their employee number on all claims. The Yardmasters will sign and affix their employee number along with the date on the back of all claims received.

7.1.16C. PENALTY TIME CLAIMS (cont.)

Atlantic City

When the Lead Clerk is present Monday through Friday - 8:30 A.M. to 4:30 P.M. or the Ticket Office, Sunday through Saturday - 5:45 A.M. to 9:00 P.M. The Lead Clerk will date stamp, sign and affix their employee number on all claims. The Ticket Sellers in the Ticket Office will date and time stamp the back of all claims with the Ticket Seller I.D. dater. Employees submitting penalty time claims at any of the above locations must examine their copy and verify that the proper information is entered on the claim by the person receiving the claim. Signatures of designated employees verifies receipts of claim only and does not confirm the validity of the claim.

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