

1. When can an Engineer use a different Type for an Assignment than the Crew Caller specified?

In general, the Crew Caller will tell you whether the job you are called for is Type 1 or 2. However if you have deadhead to the sign up location, then a Type 1 assignment could become a Type 2 assignment for you on that day. For example, if you are called for a Type 1 assignment that starts at 4:15AM and you have a 30 minute deadhead, your on duty time is before 4AM and so that assignment becomes a Type 2 assignment. Also if you work a portion of an assignment, a Type 2 assignment could be Type 1 for you. If you complete the balance of an assignment that started at 3AM, but you worked from 6AM to completion, you were not on duty before 4AM, and so the assignment would be Type 1. Also some assignments vary by workday, working early or late only one day each week. These early and late days force the entire assignment to be Type 2. If you only work the other days on this assignment, working only between 4AM and 8PM, then you can re-classify your work as Type 1.

2. How do I deal with the Crew Callers until their computer system supports the new Hours of Service rules?

Prior to the revised Passenger Hours of Service regulations, if you needed more rest than usual (for example 10 hours instead of 8 hours), you informed the Crew Callers when you marked up. The same will be true as the new Hours of Service regulations are implemented. If you are required to take 24 hours or 2 calendar days off, you need to notify the Crew Callers when you mark up, and they will maintain your place on the list. If the list is moving quickly and you are 1st out but not yet rested, the Crew Callers will call others on the list, but maintain your position on the list.

3. Why are "not covered service" tours of duty (such as Rules Class, other training, and Company Business) treated as days off sometimes, and as active days at other times?

The difference is whether or not a requirement for rest has been triggered. If rest is required (after working 6 consecutive days with one or more type 2 assignments, or after ending a 14 day cumulative day window with 13 or 14 days with starts), then that rest period (24 hours or 2 consecutive calendar days, respectively) must be truly OFF and not include any not covered service (NC) assignments. Performing an NC activity would postpone, but not replace, the required rest. [So if the day before Rules Class just happened to be the 6th consecutive day that you have worked, and on that day you were on duty from 3AM to 2PM, you would be required to have 24 hours rest before initiating another on duty period. The elapsed time between going off duty (2PM on day 6) and Rules Class (8AM on day 7) is enough to be rested for Rules (8 hours), but does not meet the 24 hour rest requirement. You could attend Rules Class on day 7 from 8AM to 5PM, then rest from 5PM on day 7 to 5PM on day 8, and return to covered service anytime after 5PM on day 8.] Otherwise, an NC assignment is not considered "initiating an on duty period" and so would be treated as a day of rest just like a day without a start.

4. For an Engineer who works a regular job and never works relief days, what does their new filled-in TRO-Q look like?

Refer to Division Notice 6-404, effective Friday, April 6, 2012. In particular, see page 18 which illustrates a week for an employee holding a regular job assignment. If your assignment has a 4 hour break, see page 20 for an example of how to report your break.

5. For an Engineer who holds a regular job and works their relief days, what does their new filled-in TRO-Q look like?

Refer to Division Notice 6-404, effective Friday, April 6, 2012. In particular, see pages 5 through 7 which illustrate how to report working a regular assignment and working a relief day.

6. How are "busted calls" (called but not used) handled for Hours of Service tracking?

For H.O.S. the significant detail is whether you have signed in, and at NJ Transit this is the same as having arrived on the property. If the call is cancelled before you arrive on property, then you have NOT initiated an on duty period. If the call is cancelled after you arrive (signed in), then you HAVE initiated an on duty period.

7. When do I need to show my days off on the TRO-Q?

Under the new Hours of Service regulations, many (but not all) of your days off need to be recorded on the TRO-Q form. Any two days without a start will end your current series of 14 days; these 2 days must be recorded on the Q, and your next day with a start will be day one in the next 14-day series. For example, on a regular assignment you work days 1 through 5 and your two relief days are days 6 and 7 in the 14-day series. These 2 relief days end that series, and the next day that you sign up is day one of the next series.

When you have more than 2 days off, only the two that end the series need to be shown on the Q. So when you have more than 2 days off (for a week's vacation, an extended period of illness, or a very slow time on the Extra List) only those days that end a series need to be on the Q. If you worked days 1 through 3, had day 4 off, worked days 5 and 6, and then had 7 vacation days, your Q would show series days 1 through 7. Days 4 and 7 would be listed as OFF, and those 2 days end that series. The next day shown on your Q would be the next day that you worked, and it would be day 1 in a new series.

8. How does deadheading affect my Hours of Service tracking?

Deadheading to a sign up location is on duty time, so your on duty period starts when you leave home. Deadheading can change the type of the assignment. If you are called for a Type 1 assignment that begins at 4:30AM, but your deadhead is 31 minutes or more, then that assignment is Type 2 for you on that day. Deadheading can also change the day of the 14-day-series that the assignment is credited to. If you are called for an assignment that starts at 12:10AM, but your deadhead is more than 10 minutes,

then your on duty time begins on the previous day, and it is the previous day that has the start for Hours of Service tracking.

9. If I take the rest required by the Hours of Service regulations, can I still get an optional day, and will I still get the guarantee?

The implementation of the Hours of Service regulations does not affect the contract. The contract specifies that optional days are available to Extra List Employees, and that has not changed. The guarantee payment is also described by the current contract, and the implementation of the Hours of Service regulations does not change that.

10. If my Type 1 assignment is scheduled to finish before 8PM, but it runs late and doesn't finish until after 8PM, does it become a Type 2 assignment?

The Type of the assignment would only change if the job was still on duty past midnight. If the job is consistently late, it is the carrier's responsibility to re-evaluate the type of that assignment.

11. On my 6th consecutive day of work that includes a Type 2 assignment, can I double out?

It depends on when the Type 2 assignment was worked. As soon as the requirement for rest is triggered, no on duty period can begin until you have the required rest. If any Type 2 assignment occurred on days 1-5 or early on day 6, then you cannot double out on day 6 because the first assignment on day 6 triggers the need to rest and you cannot perform covered service again until you take that rest. If the Type 2 assignment that triggered the requirement to rest was your second start on day 6, then, yes, you can double out on day 6.

12. Does attending Rules Class count as a start?

Yes for payroll, but no for Hours of Service tracking. For Hours of Service purposes, Rules Class is not covered service (Code NC on the TRO-Q) and so is a day without initiating an on duty period.