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# **UNION PACIFIC RAILROAD POLICY AND PROCEDURES FOR ENSURING RULES COMPLIANCE**

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Effective October 15, 1998  
(Revised May 1, 2008)  
PB-20861



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## INTRODUCTION

Union Pacific is committed to be a railroad where our customers want to do business, our employees are proud to work, shareholder value is created, and the safety of the public and our employees is our top priority.

Compliance with company rules is required to meet the commitments of Union Pacific. The intent of this policy is to provide a uniform structure to address rule and policy violations in a consistent and fair manner. This policy serves as a tool to change behavior to ensure the safe and efficient operation of the railroad and for the protection of the public, our employees, our customers and our shareholders. Certain rule violations and/or patterns of behavior may be so serious however, that dismissal is the only option. In all cases, the policy will be used to protect the safety of the public and our employees and otherwise meet the commitments of Union Pacific.

This policy is effective *November 1, 2006* and supersedes previous company discipline policies.

## DISCIPLINE POLICY - UPGRADE

### Policy Guidelines:

1. All collective bargaining agreements apply.
2. When practicable, incidents involving possible rule violations, except certain Level 5 violations, should be reviewed with the Employee to determine whether sufficient cause exists **prior** to proceeding to a formal hearing or waiver offer, as appropriate.
3. Employees must be allowed the opportunity to discuss waivers of formal hearing with Union Representatives when considering whether to waive or proceed with hearing. *Reduced retention periods, according to the table on page 3, will be offered to employees who choose to waive investigations.*
4. Managers are strongly encouraged to use informal coaching with Employees when appropriate.
5. All discipline is determined using the Discipline Assessment Table and Progressive Discipline Table following procedures described herein.
6. Training days may be provided as an alternative for all or some of a specified suspension period.
7. An alternative assignment may be used as an alternative to discipline as defined in the discipline assessment table for levels 2, 3, 4 and 4C.
8. Current Discipline Status corresponds to the most recent level of discipline assessed, begins with the date of the incident prompting the disciplinary action, and remains the status for the retention period specified below. If there is no further disciplinary action within the retention period specified, the status reverts to Level 0 for future reference.

Retention Period Table (Months)		
Level	Waiver	Hearing
2	9	12
3	12	18
4	18	24
4C	24	24

**Note 1:** Employees who are assessed Level 4 by virtue of a single incident will have their status reduced to Level 3 after a 6-month period from the date of the incident if there is no further disciplinary action during that period. However, **if an employee commits two Level 4/4C infractions under this policy within a 24-month period, the discipline will be assessed at Level 5.**

9. Existing policy and procedures pertaining to Rule 1.5 violations shall continue to be followed and such cases shall be considered Level 5 violations. Employees returning to service through the Employee Assistance Program (EAP) after a first offense for Rule 1.5 will revert to the discipline status in effect prior to the Rule 1.5 dismissal.
10. Corrective Action Plans, when appropriate, are required for all Employees assessed discipline at Levels 2-4C.
11. FRA Engineer Certification Requirements, with regard to suspension of certificate for certain rules infractions, are not preempted by this policy.
12. The Regional Vice President, equivalent senior manager, or their designated representative will be consulted before an Employee is charged with a Level 5 offense, other than for Rule 1.5. Dismissal for Level 5 offenses, except for Rule 1.5, will be only with the concurrence of the Vice President or equivalent.

13. Except when totally exonerated, an employee returned to service from Level 5 dismissal (for other than Rule 1.5) as the result of an arbitration award, will be returned at the employee's previous status level or a status Level 3, whichever is greater. The retention period begins with the date of return to active service.

## **DISCIPLINE ALTERNATIVES**

Conferencing, counseling, coaching and education are effective tools for rules compliance. Informal Coaching or Formal Conferencing may be used at the discretion of the manager. Managers will be accountable for the fair and consistent application of the Discipline Policy.

### **INFORMAL COACHING**

Employees may be provided informal coaching without being formally charged with a rule violation. The intent of informal coaching is to assist an employee in changing behaviors that are not in compliance with company rules and/or policies. Informal coaching is not documented in the employee's electronic discipline record.

### **FORMAL COACHING (Level 1 and 2 Violations)**

Employees charged with Level 1 or Level 2 infractions will be coached without being formally charged with a rule violation. The formal coaching session(s) will be documented and entered into the employee's electronic discipline record. No new discipline level is established. Excessive violations of Level 1 or Level 2 rules may result in a violation of Rule 1.13.

### **FORMAL CONFERENCING: (Level 3, 4, 4C Violations)**

Employees charged with Level 3, 4, 4C violations may be offered the opportunity to divert from the normal discipline process to a Corrective Action Plan consisting of formal conferencing, counseling, and/or education as outlined below. When formal conferencing is utilized, no new discipline level is established.

### **Guidelines for Formal Conferencing.**

1. For formal conference, the employee may arrange for union representation and the supervisor will meet with the employee's union representative and the employee to discuss appropriate rules application and provide suitable assistance/education.
2. Formal conferencing will be conducted while the employee is under pay.
3. The formal conferencing session will be documented on a form signed by the employee and a copy will be placed in the employee's personal record file. The form will record the rule(s) discussed and the date of the incident. The formal conference agreement will also be noted in the Employee's electronic discipline record.
4. The formal conference will consist of the following:
  - ❑ Discussion of the reason for conference.
  - ❑ A review of related or associated rules/policies regarding incident.
  - ❑ Discussion on how the incident could have been prevented.
  - ❑ Q & A and discussion by conference participants.
  - ❑ Review and completion of the Conference Form – including signatures.

### **TRAINING / EDUCATION (Level 2, 3, 4 and 4C violations)**

For Level 2, 3, 4 and 4C violations, employees may be offered education in lieu of discipline.

The agreement on a formal education session will be recorded on a form signed by the employee and a copy will be placed in the employee's personal record file. The form will record a date of occurrence and the corresponding discipline level for retention purposes only. The formal education agreement will also be noted in the employee's electronic discipline record.

**Note:** The Discipline Policy will recognize a Level 4 disciplinary diversion event as a Level 4 violation for the purpose of assessing discipline in the event that the employee is determined to be responsible for committing a subsequent Level 4 violation within 24 months following the date of the first Level 4 occurrence.

### **Training / Education for FRA De-Certifiable Events**

For events that resulted in the revocation of their 49 CFR Part 240 certification for 30 days or less, employees may be offered the opportunity to receive remedial training and to qualify for a reduced certificate revocation period as permitted by 49 CFR part 240.117(h)(5). Any train crew member charged with responsibility for a decertifiable event, as defined by 49 CFR Part 240, except rules identified as 4C such as failure to stop for a signal when required or occupying Main track without authority, will serve a minimum of a 15-day suspension.

### **DISCIPLINE MONITORING PROCESS**

- I. Labor or management may request a quarterly review of the discipline process at the Superintendent or Regional Vice president level.
- II. To ensure that the discipline policy is meeting its stated goals and likewise being fairly administered, Senior Management will conduct semi-annual reviews of the administration and effectiveness of the discipline policy as part of the overall safety and rules compliance effort. Upon request, labor representatives from the labor / management Culture & Discipline committee may participate in this review. Measures reviewed will include the number of discipline cases, including conferencing and training in lieu of formal discipline, personal injuries, human-factor caused accidents, 4-C violations, and any other similar measures deemed to provide insight into policy effectiveness.

## Assessment Table

Introduction Use the chart below to determine the appropriate action for Level 1 and Level 2 rule infractions.

Assessment Table		
Violation of these rules*	Results in.....	
	Level ^	Actions
<b>General Code of Operating Rules</b> - Chapter 1.0 General Responsibilities - Chapter 3.0 Standard Time - Chapter 4.0 Timetables - Chapter 5.0 Signals & Their Use <b>UPRR Safety Rules (Ch. 70-83)</b>	<b>1</b>	Employee coaching session.
<b>General Code of Operating Rules</b> - Rule 1.1.4 Condition of Tools & Equipment - Rule 1.6.1 M.V. Driving Records - Rule 1.6.2 – Notification of Felony Convictions - Rule 1.6.3 – Notification of Deteriorating Vision or Hearing - Rule 1.9 Respect of Railroad Co. - Rule 1.11 Sleeping - Rule 1.33 Inspection of Freight Cars - Rule 5.4 – 5.5 Flags and Signs (Placement) - Rule 5.6 Unattended Fusee - Rule 5.9 – 5.9.5 Headlight Display - Rule 5.10 – 5.10.2 Markers - Chapter 2.0 Railroad Radio Rules - Chapter 6.0 Movement of Trains and Engines - Chapter 7.0 Switching - Chapter 8.0 Switches <b>Train Dispatcher Rules (Ch. 20-26)</b> <b>Air Brake and Train Handling Rules (Ch. 30-34)</b> <b>Hazardous Materials Instructions (Form 8620)</b> <b>Maintenance of Way Rules (Ch. 40-57)</b> - Rules 1.3.1 & 1.3.3 (Chief Engrs. Inst; Proc. Manual & Stnds.; Signal Dept. FRA Insp, & Mtce. Inst.; Book of Standards.) <b>Timetable and Special Instructions</b>	<b>2</b>	Coaching session or up to one day alternative assignment with pay to develop a Corrective Action Plan to modify behavior.  Pay will be at basic yard day rate or regular assigned rate of pay for Mechanical and Engineering employees.

\* Excessive violations of Level 1 or Level 2 rules may result in a violation of Rule 1.13 (Level 3)

See footnotes on page 10

Use the chart below to determine the appropriate discipline level for Level 3, 4, 4C and 5 rule infractions and to find the level of discipline called for.

<b>Assessment Table</b>		
<b>Violation of these rules*</b>	<b>Results in.....</b>	
	<b>Level ^</b>	<b>Actions</b>
<p><b>General Code of Operating Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 1.2.5 Reporting</li> <li>- Rule 1.13 Comply with Instructions</li> <li>- Rule 1.15 Duty – Reporting or Absence (No Show)</li> <li>- Rule 1.47 Duties of Crew Members</li> <li>- Rule 2.13 (Radio) in Place of Hand Signals</li> <li>- Rule 2.6 Comm. Not Understood</li> <li>- Rule 5.3.3 Signal Disappearance</li> <li>- Rule 5.3.7 Radio Response</li> <li>- Rule 5.8.1 Ringing Engine Bell</li> <li>- Rule 5.8.2 (7) Sounding Whistle</li> <li>- Rule 6.4 Reverse Movements</li> <li>- Rule 6.13 Yard Limits</li> <li>- Rule 6.14 Restricted Limits</li> <li>- Rule 6.15 Block Register Territory</li> <li>- Rule 6.16 Approaching Railroad Crossings</li> <li>- Rule 6.19 Flag Protection</li> <li>- Rule 6.23 Emergency Stop or Severe Slack Action</li> <li>- Rule 6.29 Inspecting Trains</li> <li>- Rule 7.1 Switching Safely and Efficiently</li> <li>- Rule 7.5 Testing Hand Brakes</li> <li>- Rule 7.6 Securing Cars or Engines</li> <li>- Rule 8.2 Position of Switches</li> <li>- Rule 8.3 Main Track Switches</li> <li>- Rule 8.12 Crossover Switches</li> <li>- Rule 8.15 Switches Run Through</li> <li>- Rule 8.20 Derail Location and Position</li> <li>- Chapter 9.0 Block System Rules</li> <li>- Chapter 10.0 Rules App. Only in CTC</li> <li>- Chapter 11.0 Rules App. Only in ACS/ATS</li> <li>- Chapter 12.0 Rules App. Only in ATS</li> <li>- Chapter 13.0 Rules App. Only in ACS</li> <li>- Chapter 14.0 Rules App. Only within TWC</li> <li>- Chapter 15.0 Track Bulletin Rules</li> <li>- Chapter 16.0 Rules App. Only in DTC</li> <li>- Chapter 17.0 Rules App. Only in ATC</li> </ul> <p><b>Air Brake and Train Handling Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 32.1 Securing Equipment</li> </ul> <p><b>UPRR Safety Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 74.8 Seat Belts</li> <li>- Rule 78.8 Electrical Power Supply Turned Off</li> <li>- Rule 78.10 L.O.T.O. Electrical Power</li> </ul> <p><b>Cardinal Safety Rules</b>, as designated by the employing department, will be Level 3 unless listed by specific rule number at a higher level. Employees are responsible for all Cardinal Safety Rules which may apply to the nature of the work being performed.</p> <p><b>Maintenance of Way Rules</b></p> <ul style="list-style-type: none"> <li>- Chapter 42 On-Track Operations</li> <li>- Rule 56.1.2 Testing for Quality</li> </ul>	<p><b>3</b></p>	<p><b>Up to five days off work without pay or up to one day training without pay. A Corrective Action Plan must be developed upon return to work.</b></p>

*See footnotes on page 10*

<b>Assessment Table</b>		
<b>Violation of these rules*</b>	<b>Results in.....</b>	
	<b>Level ^</b>	<b>Actions</b>
<p><b>Chief Engineer's Bulletins</b></p> <ul style="list-style-type: none"> <li>- CE Bulletin 135.3.2 L.O.T.O. for Roadway Machines and Work Equipment</li> <li>- CE Bulletin 136 On-Track Safety</li> </ul> <p><b>Engineering Track Mntce Field Handbook</b></p> <ul style="list-style-type: none"> <li>- Chapter 4.5.1 through 4.5.6 Rail and Joints</li> <li>- Chapter 4.15.1 through 4.15.11 Rail and Joints</li> <li>- Chapter 6.3 through 6.3.12 R of W and Other Facilities</li> </ul> <p>Chapter 7.6 through 7.9.7 Track Buckling Prevention Guidelines</p> <p><b>F.R.A. Regulations (Part 213 Track Safety Standards)</b></p> <p><b>System Special Instructions</b></p> <ul style="list-style-type: none"> <li>- Item 8 Descending Grade Operations</li> <li>- Item 10B Remote Control Operations</li> <li>- Item 10K Main Track Switches in Non-Signaled Terr.</li> </ul>	3	<p><u>Up to five days off work without pay or up to one day training without pay. A Corrective Action Plan must be developed upon return to work.</u></p>
<p><b>General Code of Operating Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 1.23.1 Locomotive Mounted Safety Devices</li> <li>- Rule 5.4-5.5 Flags &amp; Signs (Speed &amp; Stopping Reqs.)</li> <li>- Rule 5.12 Protection of Occ. Outfit Cars</li> <li>- Rule 5.13 Blue Signal Protection of Workers</li> <li>- Rule 5.14 Signs Protecting Equipment</li> <li>- Rule 6.2 Initiating Movement</li> <li>- Rule 6.3 Main Track Authorization</li> <li>- Rule 6.5.1 Remote Control Movements</li> <li>- Rule 6.7 Remote Control Zone</li> <li>- Rule 6.25 Movement Against Curr. Of Traffic</li> <li>- Rule 6.27 Movement at Restricted Speed</li> <li>- Rule 6.28 Movement. Other than Main Track. (except Subrules .1, .2, .3)</li> <li>- Rule 6.31 Max. Authorized Speed (when exceeds auth. speed by 10 MPH)</li> <li>- Rule 6.32.2 Automatic Warning Devices (Resulting in FRA Decertification Event)</li> <li>- Rule 9.15 Track Permits</li> <li>- Rule 9.5 Where Stop Must be Made</li> <li>- Rule 14.1 Authority to Enter TWC Territory</li> <li>- Rule 15.1 Track Bulletins</li> <li>- Rule 15.3 Auth. Movement Against Current of Traffic</li> </ul> <p><b>Air Brake and Train Handling Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 30.10 Initial Terminal Brake Test</li> <li>- Rule 30.11 Transfer Train Movements Test</li> <li>- Rule 30.12 1000 Mile Test</li> <li>- Rule 30.15 Application and Release Test</li> </ul> <p><b>Maintenance of Way Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 42.2.2 Other Speed Requirements</li> <li>- Rule 42.3 Main Track Authority</li> <li>- Rule 42.4 Track and Time</li> <li>- Rule 42.4.2 Using Track and Time Authority</li> <li>- Rule 42.5 Use of Yard Limits</li> <li>- Rule 42.7 RR Crossings at Grade</li> <li>- Rule 42.13 Lineups</li> <li>- Rule 42.15 Flag Protection</li> <li>- Rule 42.16 Foul Time</li> <li>- Rule 43.10 Protecting Against Passing Equip.</li> <li>- Rule 44.2 Excavation</li> <li>- Rule 56.1.3 Compromising Signal Safety</li> </ul>	4	<p><u>Up to 10 days off work without pay or up to five days training without pay and must pass necessary operating rules exam or equivalent in order to return to work. A Corrective Action Plan must be developed upon return to work.</u></p>

*See footnotes on page 10*

<b>Assessment Table</b>		
<b>Violation of these rules*</b>	<b>Results in.....</b>	
	<b>Level ^</b>	<b>Actions</b>
<p><b>UPRR Safety Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 81.4.2 Moving Equipment (Getting on or Off)</li> </ul> <p><b>Chief Engineer's Bulletins</b></p> <ul style="list-style-type: none"> <li>- C.E. Bulletin 121 Protection for Gangs from Trains on Adj. Tracks</li> <li>- C.E. Bulletin 122.3.1 Bridge Worker Safety</li> <li>- C.E. Bulletin 136.4 – 136.5 On Track Safety</li> </ul> <p><b>Timetable and Special Instructions</b></p> <ul style="list-style-type: none"> <li>- Rules 9.2.14, 9.2.15, 9.2.18, 9.2.22</li> <li>- Item 10-B.A.1 – Remote Control Crews Man Down Trans.</li> <li>- Item 10-B.B.1 – Linked and Tested</li> <li>- Item 10-B.C.(1-4) – Operating the Equipment</li> </ul>	<b>4</b>	<p><b>Up to 10 days off work without pay or up to five days training without pay and must pass necessary operating rules exam or equivalent in order to return to work. A Corrective Action Plan must be developed upon return to work.</b></p>
<p><b>General Code of Operating Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 1.47 Failure to Maintain Conductors Log (Missing Multiple Entries)</li> <li>- Rule 6.3 Main Track Authorization (Resulting in FRA Decertification Event)</li> <li>- Rule 6.5 Handling Cars Ahead of Engine (Unprotected Shove)</li> <li>- Rule 6.27 Restricted Speed (Resulting in FRA Decertification Event)</li> <li>- Rule 7.6 and 32.1, 32.1.1, 32.1.2, 32.1.3 Securing Cars or Engines (When Resulting in Uncontrolled Movement)</li> <li>- Rule 8.3 Main Track Switches (Switch Left in Other than Normal Position in Non Signaled Territory)</li> <li>- Rule 9.5 Where Stop Must be Made (except Rule 9.5.5) (Resulting in FRA Decertification Event)</li> <li>- Rule 15.2 Protection by Track Bulletin Form B.</li> </ul> <p><b>UPRR Safety Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 78.7 Boom Near Overhead Power Lines</li> </ul> <p><b>Maintenance of Way Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 42.2.2 Other Speed Requirements (Resulting in Collision)</li> </ul>	<b>4C</b>	<p><b>Up to 60 days off work without pay and must pass necessary operating rules exam or equivalent in order to return to work. A Corrective Action Plan must be developed which will include remedial training upon return to work.**</b></p>
<p><b>General Code of Operating Rules</b></p> <ul style="list-style-type: none"> <li>- Rule 1.5 Drugs and Alcohol (Rule “G”)</li> <li>- Rule 1.12 Weapons</li> <li>- Rule 1.6 Conduct. Employees must not be:                             <ol style="list-style-type: none"> <li>1. Careless of Safety</li> <li>2. Negligent</li> <li>3. Insubordinate</li> <li>4. Dishonest</li> <li>5. Immoral</li> <li>6. Quarrelsome (excludes 1.6.1)</li> </ol> </li> <li>- Rule 1.7 Altercation</li> <li>- Felony Conviction; Fraud or Theft</li> <li>- EEO Policy Infractions***</li> <li>- Overstaying Leave of Absence Without Authority</li> <li>- Workplace Violence Policy Infractions^^</li> </ul>	<b>5</b>	<p><b>Permanent dismissal</b></p>

\* Where Chapter Numbers are shown, all Rules within Chapter(s) are Violation Level indicated EXCEPT FOR: Specific Rules which may be listed by rule number at a different level. Where rule numbers are shown, it includes Sub-Rules unless specified otherwise. Rules include any modification to rule through General Order, M of W General Order, SALERT, Timetable Special Instruction, or change of rule number.

^ Any rule violation which results in \$150,000 property damage will receive the next higher level discipline except when a level 4 status results from a one time occurrence or for 4C rule violations.

\*\* For Engineering employees, Rules 1.47, 6.5 and 9.5 are not applicable. Violation of rules 6.3, 6.27 and 15.2 will be assessed at Level 4. For Mechanical employees, Rules 1.47, 6.27, 6.5, 9.5 and 15.2 are not applicable. Violation of 6.3 will be assessed at Level 4.

\*\*\* A lesser Level of Discipline may be issued in some EEO cases when consistent with EEO Policy Application and when recommended by the Director-EEO.

^^ A lesser Level of Discipline may be issued in some cases pursuant to review and recommendation of the Workplace Violence Committee.

## GLOSSARY

The following definitions, while not all inclusive or absolute, are intended to guide the determination of whether various acts by employees meet necessary criteria to be considered a violation of applicable Level 5 Rules.

**ALTERCATION:** When an employee's actions cause or result in a vehement quarrel characterized by physical activity such as pushing, shoving or fighting.

**CARELESS OF SAFETY:** When an employee's actions demonstrate an inability or an unwillingness to comply with safety rules as evidenced by repeated safety rules infractions. When a specific rule(s) infraction demonstrates a willful, flagrant, or reckless disregard for the safety of themselves, other employees, or the public.

**DISHONEST:** When an employee's actions or statements constitute lying, cheating or deception.

**FELONY CONVICTION:** The conduct of an employee leading to the conviction of a felony in state or federal court is prohibited. Guilty pleas, diversion programs, deferred decisions or adjudication, and other alternative sentencing or adjudication procedures, regardless of local nomenclature, are considered convictions under this policy.

**FRAUD:** When an employee's actions or statements are intentional misrepresentations of fact for the purpose of deceiving others so as to secure unfair or unlawful gain.

**IMMORAL:** When an employee's actions are contrary to commonly accepted moral principles.

**INSUBORDINATION:** When an employee's actions or statements indicate a refusal (as opposed to a failure for cause) to carry out the instructions of a supervisor which are work, safety or policy related and which conform to accepted Company and industry practice, or when an employee demonstrates gross disrespect towards a supervisor. **NOTE:** Any failure to comply with Union Pacific's Drug and Alcohol Policy will be considered insubordination.

**NEGLIGENT:** An employee demonstrates negligence when his or her behaviors/actions cause, or contribute to, the harm or risk of harm to the employee, other employees, the general public or company property.

**QUARRELSOME:** When an employee's continued behavior is inclined or disposed toward an angry verbal confrontation with others in the workplace.

**THEFT:** When an employee's action is intended to and/or results in the taking and/or removing of property or other items of value from the Company, its customers, or other employees without proper authority.

## **PROGRESSIVE DISCIPLINE TABLE**

Introduction      Determining the correct level of discipline to be assessed for a current rules infraction requires use of the Progressive Discipline Table. Accurate use of the Progressive Discipline Table requires knowledge of the Current Discipline Level, the Level of the Infraction, and the Discipline Assessment Table.

### **Progressive Discipline Table**

<b>If the Alleged Violation Level is..</b>	<b>Then the action you should take is..</b>	
<b>1/2</b>	<b>Coaching. Excessive violations may result in a Rule 1.13 violation.</b>	
<b>If the Alleged Violation Level is..</b>	<b>And the Current Discipline Status is..</b>	<b>Then the Discipline Level to assess is..</b>
<b>3</b>	<b>0</b>	<b>3</b>
	<b>2</b>	<b>3</b>
	<b>3</b>	<b>4</b>
	<b>4</b>	<b>4</b>
	<b>4C</b>	<b>4C</b>
<b>4</b>	<b>0</b>	<b>4</b>
	<b>2</b>	<b>4</b>
	<b>3</b>	<b>4</b>
	<b>4</b>	<b>5</b>
	<b>4C</b>	<b>5</b>
<b>4C</b>	<b>0</b>	<b>4C</b>
	<b>2</b>	<b>4C</b>
	<b>3</b>	<b>4C</b>
	<b>4</b>	<b>5</b>
	<b>4C</b>	<b>5</b>

NOTE: If an employee commits three repetitions of the same Level 3, 4 or 4C rule infraction during a 36 month period (excluding missed calls and tardiness) the discipline will be assessed at Level 5 – Permanent Dismissal.

## GUIDE TO DETERMINING DISCIPLINE LEVEL

- Step 1 – Determine the primary (highest level) alleged rule violation.
- Step 2 – Complete the Discipline Calculation Worksheet as follows:
- a. Specify the rule(s) violation(s) in Section One.
  - b. Check or list the applicable rule(s) or policy publications in Section One.
  - c. Determine the level of alleged rule infraction by reviewing the Discipline Assessment Table. Locate the Discipline Level corresponding to the primary rule and complete Section Two.
  - d. Obtain the Employee's current discipline status (level):
    - For Level 2 through 4C violations, review the PeopleSoft Discipline History for the previous 24 months.
    - Apply the Discipline Level Retention Periods from the Policy Guidelines found in the retention table (retention period changes if employee waived a hearing) to the most recent entry in the discipline record to determine whether the status reflected remains in effect for current consideration.
  - e. Utilizing the Progressive Discipline Table and the information from Sections Two and Three, complete Section Four-A.
  - f. Determine whether the infraction resulted in property damage greater than \$150,000 requiring the next higher level of discipline. Complete Section Four-B. **This is the Level of Discipline required for the infraction.**

**DISCIPLINE CALCULATION WORKSHEET**

FORM 20063

DISCIPLINE CALCULATION WORKSHEET			TODAY'S DATE
			FILE NUMBER
Last Name	First Name / MI		Emp ID#
Job Title	Hire Date	Dept / Svc Unit	Work Location / Gang
SECTION ONE	<p>EVENT DESCRIPTION, LOCATION AND DATE:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Event described indicates possible violation of Rule(s)</p> <p>_____</p> <p>_____</p> <p>Found in the following Union Pacific Railroad publication(s):</p> <p><i>Check the appropriate box:</i></p> <p><input type="checkbox"/> Union Pacific Rules</p> <p><input type="checkbox"/> Timetable/SSI</p> <p><input type="checkbox"/> Other: (specify) _____</p>		
SECTION TWO	<p><input type="checkbox"/> Event Involved Personal Injury</p> <p><input type="checkbox"/> Event Involved Human Factor Rail Equipment Incident</p>		
SECTION THREE	<p>Under the Discipline Assessment Table, violation of the rule(s) listed in Section One requires a minimum discipline of:</p> <p>LEVEL _____</p>		
SECTION FOUR	<p>Disciplinary action within the past 24 months for which retention period has not expired. (Rule and description)</p>		
	<b>RULE</b>	<b>DESCRIPTION OF VIOLATION</b>	<b>LEVEL</b>
<p>This equates to a Current Discipline Status of: LEVEL _____.</p>			
SECTION FIVE	<p><b>A.</b> Using the Progressive Discipline Table, a current violation of the rule(s) cited in Section One plus the Current Discipline Status requires the assessment of: LEVEL _____</p> <p><b>B.</b> The incident ___ Did ___ Did Not have results requiring assessment of the next higher level of discipline per the footnote to the Discipline Assessment Table. Therefore, <b>the required discipline is:</b> LEVEL _____.</p>		

**LEVEL 1 and 2 COACHING SESSION FORM**

FORM 20064

Date: \_\_\_\_\_ Employee Name: \_\_\_\_\_

Emp. ID: \_\_\_\_\_ Manager Name: \_\_\_\_\_

Manager Title: \_\_\_\_\_

Description of Event: \_\_\_\_\_

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Rules(s) Discussed: \_\_\_\_\_

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Previous Level 1 or 2 coaching session(s) in last six months: \_\_\_\_\_

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Comments: \_\_\_\_\_

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\_\_\_\_\_

Employee Signature

\_\_\_\_\_

Manager Signature

**NOTE:** This form is to be used for Level 1 and Level 2 coaching events. Excessive violations of Level 1 or Level 2 rules will result in a disciplinary charge of violating Rule 1.13 – Complying with Instructions.

FORMAL CONFERENCING / TRAINING

FORM 20065

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Employee ID: \_\_\_\_\_

Check One:

Conference (L 3, 4, 4C)

Training (L 2, 3, 4, 4C)

Mr. / Ms. \_\_\_\_\_

This is to confirm our conference on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM / PM at \_\_\_\_\_ in connection with events described below: (location)

Description of Event: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rule(s) Discussed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I agree to have a conference.

I agree to Training.

I decline to have a conference.

I decline Training.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Manager's Signature

\_\_\_\_\_  
Title

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: This letter is NOT a form of discipline and will not be used in any subsequent disciplinary proceedings as evidence the employee previously allegedly violated the rules cited.

NOTE: The Discipline Policy will recognize a Level 4 disciplinary diversion event as a Level 4 violation for the purpose of assessing discipline in the event that the employee is determined to be responsible for committing a subsequent Level 4 violation within 24 months following the date of the first Level 4 occurrence.

## SUMMARY OF POLICY UPDATES

This section outlines the periodic updates made to the Policy and Procedures for Ensuring Rules Compliance.

### Updates Effective May 1, 2008

Page No.	Updates Made
2	Policy Guidelines – added items 6 and 7.
4	Changed Formal Coaching from Level 1 infractions only to Levels 1 and 2.
4	Changed Formal Conferencing from Level 2 only to Levels 3, 4, and 4C.
5	Changed Training/Education from Levels 3 and 4 only to Levels 2, 3, 4, and 4C.
7	Assessment Table – Changed actions for Level 1 and Level 2 to included coaching. Added that excessive infractions of Level 1 or Level 2 rules can result in a charge of Rule 1.13.
8	Assessment Table – Reclassification of rules 1.25, 1.13 and 1.15 from Level 2 to Level 3.
9	Assessment Table – Level 4 suspension period changed from 30 days to up to 10 days.
10	Assessment Table – Level 4C suspension period changed from 180 days to up to 60 days. Removal of 120 days suspension if EQMS score is 950 or greater. Removal of 180 and 120 day criteria for Non-Operating employees.
13	Progressive Discipline Table – Assessed discipline for Levels 1 and 2 is coaching unless excessive violations.
13	Progressive Discipline Table – Removal of additive effect for Level 2 violations unless they are excessive violations.
13	Progressive Discipline Table – Changed additive effect of a Level 3 violation and current status of “4” from an assessed Level 5 to assessed Level 4.
App. B	Coaching Session Form – changed to show use with Levels 1 and 2.
App. C	Formal Conferencing / Training Form – changed to show levels at which Conference and/or Training can be offered in lieu of discipline.
App. D	Added Summary of Policy Updates section