



BURLINGTON SYSTEM DIVISION

BMWED-IBT

2023 TRAINING SEMINAR

GATHERING OUR TOOLS: LEARNING HOW WE WORK, LEARNING HOW WE ACT!

WHAT TO KNOW ABOUT CLAIMS

- ***SUBMIT INFORMATION AS SOON AS YOU ARE AWARE OF A VIOLATION!***
 - IF THE CLAIM IS FOR A LONG-TERM OR ONGOING PROJECT, WE STILL ONLY HAVE A LIMITED TIME FROM THE START OF THE VIOLATION TO FILE THE CLAIM. IF YOU WAIT A FEW WEEKS BEFORE SUBMITTING THE INFORMATION, WE MAY MISS OUR TIME LIMITS TO FILE!
- ***FOLLOW-UP STATEMENTS ARE JUST AS IMPORTANT AS THE ORIGINAL SUBMISSION!***
 - WHEN WE RECEIVE A DENIAL FROM THE RAILROAD, IT CONTAINS ASSERTIONS WE MUST HAVE THE FACTS TO COUNTER. THOSE FACTS COME FROM YOUR STATEMENTS! IF WE ASK FOR ADDITIONAL INFORMATION, IT'S IMPORTANT TO DEFEND THE CLAIM!
 - KEEP A "WORK JOURNAL" OF LARGE OR LONG-TERM PROJECTS, OR ONGOING VIOLATIONS, SO YOU CAN QUICKLY RECALL FACTS AND DETAILS EVEN IF THE EVENT WAS MONTHS AGO.
- ***THE RAILWAY LABOR ACT AND YOUR AGREEMENT LAY OUT A PROCESS FOR HANDLING CLAIMS AND GRIEVANCES. EVEN STRONG CLAIMS TAKE TIME TO HANDLE THROUGH THE PROCESS.***
 - RAILROADS WILL OFTEN "RUN DOWN THE CLOCK" WHEN IT COMES TO HANDLING CLAIMS, TAKING AS MUCH TIME AS THEY CAN BEFORE RESPONDING IN THE HOPE THAT THE CLAIMANTS (YOU) FORGET DETAILS OR GIVE UP ON THE CLAIM.
 - THERE'S NO "FAST-TRACK" OR MAGIC WAND WE CAN RELY ON FOR CLAIMS DURING ON-PROPERTY HANDLING.
- ***THERE IS NO "HORSE TRADING" OF CLAIMS, EVER!***
 - DURING ON-PROPERTY HANDLING, CLAIMS ARE EITHER PROGRESSED, RESOLVED (SETTLED), OR WITHDRAWN BASED ON THE EVIDENCE WE HAVE TO SUPPORT THEM—EVIDENCE THAT COMES FROM YOUR STATEMENTS.
 - OUR OFFICERS AND STAFF CRAFT THE BEST ARGUMENTS POSSIBLE FROM AGREEMENT LANGUAGE, PAST AWARDS, AND THEIR EXPERIENCE, BUT
 - **THE FACTS OF THE CLAIM AND PROOF OF THE VIOLATION COME FROM YOUR DETAILED, ACCURATE STATEMENTS.**

ARE YOU SUBMITTING INFORMATION FOR A BRAND-NEW CLAIM?

IF SO, THEN YOU'LL WANT TO USE OUR **COMBINED CLAIM SUBMISSION FORM**. THIS IS A MORE DETAILED FORM, BUT GIVES YOUR OFFICERS A LOT OF THE INFORMATION THEY NEED TO DEVELOP A CLAIM, RIGHT UP FRONT.

ARE YOU SUBMITTING INFORMATION FOR AN ALREADY FILED CLAIM?

FOR ALREADY FILED CLAIMS YOU WANT TO ADD MORE INFORMATION TO (ADDITIONAL HOURS, EXTRA DETAILS ABOUT WORK PERFORMED, AND SO ON), THEN THE **WITNESS STATEMENT FORM** IS FOR YOU! THIS FORM IS LESS DETAILED, BUT OFFERS MORE ROOM TO "TELL THE WHOLE STORY."

ARE YOU SUBMITTING INFORMATION THAT IS USEFUL TO SUPPORT ANY CLAIMS AGAINST CONTRACTING OUT OUR WORK?

WE ARE ALWAYS LOOKING FOR ADDITIONAL STATEMENT FROM OUR MEMBERS THAT CAN PROVE TO A THIRD-PARTY THAT BMWED WORKERS ARE THE PROFESSIONALS AT WHAT WE DO. RAILROADS OFTEN SAY OUR MEMBERS AREN'T TRAINED, QUALIFIED, EQUIPPED, OR EXPERIENCED IN THE WORK THEY CHOOSE TO CONTRACT OUT. IT'S UP TO **YOUR** STATEMENTS TO PROVE THEM WRONG! FOR THIS WORK, WE'VE ADDED AN ONLINE **STATEMENT OF SKILLS AND EXPERIENCE** THAT YOU CAN SUBMIT TO PROVIDE US A USEFUL WRITTEN RECORD OF THE SPECIAL TRAINING, EXPERIENCE (ESPECIALLY OPERATING MACHINES) OR UNIQUE PROJECTS YOU'VE HAD, WHETHER ON OR OFF THE RAILROAD.

HELP US PROTECT YOUR WORK AND YOUR AGREEMENT!

Use our online submission forms to get started on filing successful claims! You need to be registered for Member access with our website and app. If you've not already signed up, go to

<https://www.bmwedburlington.org/signup>

to register!

<https://www.bmwedburlington.org/Claims>