

INDIANA HARBOR BELT RAILROAD
REQUESTING TIME OFF POLICY
EFFECTIVE JANUARY 16, 2024

PURPOSE:

The Indiana Harbor Belt Railroad (IHB) is a 24/7 operation that requires the regular attendance of its employees to maintain operational standards and ensure optimal efficiency and productivity. The IHB recognizes that employees will be absent at times for various reasons and aims to find balance between the needs of the employees and the needs of the business. This policy serves to clarify the process and expectations for employees when taking time off work.

SCOPE:

This policy is effective on January 16, 2024 and cancels and replaces all previous requesting time off policies. This policy applies to all IHB employees who are subject to collective bargaining agreements.

No provision of this policy shall be applied or interpreted in a manner inconsistent with federal, state and local law. If this policy conflicts with an employee's applicable Collective Bargaining Agreement (CBA), the CBA will take precedence over this policy. If you believe any portion of this policy conflicts with your CBA, you must file a grievance or claim in accordance with your collective bargaining agreement. You must comply with this policy until such time as any claim or grievance is resolved.

MARKING OFF SICK

- When marking off sick, employees are to notify their supervisor/manager as directed by their department; T&E employees are to contact the crew dispatcher. All regular call-off procedures for that department apply when marking off sick. This may include things such as completing forms, providing paperwork, or calling a specific person or number.
- When calling in, employees are to notify their department of their need for a sick day, the reason and if they will be going to the doctor. This should be done a minimum of 2-3 hours prior to the start of the employee's shift, or sooner if they know of the need to be off work. Marking off sick is due to an employee's own illness and should not be used for any other reason. The employee will be informed at that time if their department has the manpower to approve the layoff request.
- If the department cannot afford to allow the employee to be off, they are expected to report for duty. If the employee forces the layoff and does not report for duty, this will be an unexcused absence/forced layoff and will fall under the employee's regular department attendance policy or availability requirements.
- If the department can afford to allow the employee to be off, the day may be excused, but is not a paid day, unless the employee has sick days per their CBA. The day also does not count toward any attendance or availability requirements.
- Upon return to duty from a sick day, whether it is granted or a forced layoff, the employee must provide appropriate documentation. Failure to provide appropriate documentation will result in the absence being unexcused.
- All doctor's notes must be sent to the Human Resource Department upon return to duty and must comply with the requirements outlined in the doctor's note section of this policy. Notes must be faxed to 219-989-4890 or emailed to doctors.note@ihbrr.com.
- Employees are expected to return to duty for their next scheduled shift. If they do not have a scheduled shift (i.e., extraboard/on-call), they are expected to report back to duty within 24 hours of marking off whether their absence is excused or unexcused. Failure to report back by the end of each 24-hour absence will result in the absence being unexcused and the employee being off without authority. They must contact their department each day that they intend to miss work unless they have an approved leave from the HR

dept. Any day that an employee is absent and does not contact their department is considered failure to report for duty and the employee is off without authority.

- Employees must schedule doctor's appointments outside of work hours whenever possible. If the employee does not have regular working hours or cannot schedule the appointment outside of their regular work schedule, they must contact their department to discuss days/times that are least disruptive to company business. The company should be notified of time off needed for doctor's appointments as soon as the appointment is scheduled or a minimum of 48 hours in advance whenever possible. T&E employees should submit a lay-off request (LORQ) in the kiosk a minimum of 48 hours in advance to request time off for the appointment. All other employees should submit the request in advance in the manner required by their department.
- If an employee is absent for more than 3 days, or is hospitalized for any reason, they must contact Workpartners to determine if their absence qualifies under the FMLA, and they must contact the Human Resources Department (HR) to determine what return to work requirements are needed prior to returning to duty.

MARKING OFF FOR AN ALREADY APPROVED FMLA

- Employees are to notify Workpartners, the IHB's third-party administrator for FMLA, each time they request to use an FMLA day. All regular call-off procedures for an employee's department apply when marking off FMLA. This may include things such as completing forms, providing paperwork, or calling a specific person or number.
- Unplanned absences must be reported a minimum of 2-3 hours prior to the start of the shift. Planned absences for things such as appointments or treatment, must be reported as soon as they are scheduled but no less than 48 hours in advance.
- If the employee's absence is for a doctor's appointment or for scheduled treatment, this must be scheduled outside of regular working hours whenever possible. If the employee must attend an appointment or schedule treatment during work hours, they must contact their department to discuss options and schedule it at a time that is least disruptive to company business.
- Employees marking off FMLA will be handled in the same manner as employees marking off for any other reason. The same rules will apply upon the employee's return to duty following a layoff. T & E employees who are on an extra board will be placed to the bottom of the board upon their return and set-up employees must mark-up according to their applicable collective bargaining agreement.
- FMLA leave is an unpaid leave. If an employee would like to use any paid time running concurrently with their FMLA leave, they must notify their department what type of leave they would like to use and it will be paid out in lieu while off FMLA, provided that it does not conflict with any agreement or policy.
- The use of FMLA leave does not count towards or against attendance or availability requirements.

MARKING OFF FOR AN ALREADY APPROVED VACATION

- When marking off vacation, employees are to contact their supervisor/manager as directed by their department; T&E employees are to contact the crew dispatcher. Employees must follow their department procedures for requesting and using vacation time. This may include things such as completing forms, providing paperwork, or calling a specific person or number.
- When marking off, the employee must state the beginning and ending date/dates of their vacation.
- At the end of an employee's scheduled/approved vacation, they are expected to report back to duty. Prior to 12:01am the day after their vacation, the employee should have contacted their department to mark up for duty for that following day. Calling in the day after their vacation to say that they are back and are returning or marking up for the following day is not considered returning to duty. If an employee does not work (or is not marked up to any extra/on call board for that entire day) the day after their vacation ends, they will be considered off without authority.

- Failure to report back to work and work (or be available) on the day following a vacation will result in an employee being off without authority.
- The use of vacation time may count toward attendance or availability requirements depending on an employee's CBA.

MARKING OFF FOR UNION BUSINESS

- Employees must submit a request for time off a minimum of 48 hours in advance when the need for time off due to union business is known in advance. Transportation employees should do this by submitting a LORQ in the kiosk. All employees should follow their department's specific layoff request procedures. This may include things such as completing forms, providing paperwork, or calling a specific person or number.
- Employees who do not have a layoff approved in advance and call in to request time off due to union business, must return to duty or call to request additional time off within 24 hours of the original layoff, if they are afforded the time off.
- When marking off union business, the employee must state the beginning and ending date/dates of the time needed off.
- Failure to report back to work and work (or be available on an extra board) on the day following the approved layoff will result in an employee being off without authority.
- The Carrier does have the right to deny a union layoff in cases where business necessity requires.

MARKING OFF FOR OTHER REASONS

- Employees wishing to mark off for other reasons such as personal or off with permission, must contact their department supervisor or manager to request the day off. T & E employees should contact the crew dispatcher's office. Employees must follow their department procedures for requesting and using any time. This may include things such as completing forms, providing paperwork, or calling a specific person or number. This should be done as far in advance as possible.
- Once the request has been made, the department will notify the employee if they have the manpower to afford the layoff.
- If the department cannot afford to allow the employee to be off, they are expected to report for duty. If the employee forces the layoff and does not report for duty, this will be an unexcused absence/forced layoff and will fall under the employee's regular department attendance policy or availability requirements.
- If the department can afford to allow the employee to be off, the day may be excused but is not a paid day and does not count toward any attendance or availability requirements, unless otherwise noted in the employee's collective bargaining agreement.

CALLING RELIEF WHILE ON DUTY – Transportation employees

- An employee's tour of duty begins when their assignment goes on duty and ends at the point of final release as directed by the applicable supervisor.
- In the event an employee is no longer fit for duty and is unable complete their tour of duty, they will be required to notify their supervisor and complete a Relief Request Form explaining why they are unable to complete their tour of duty.
- Prior to returning for the employee's next tour of duty, the employee must provide documentation to support their absence. All doctor's notes must comply with the requirements outlined in the "Doctor's Notes" section of this policy.
- Employees who fail to complete their tour of duty will be considered to have ended their tour of duty without authority and will be considered off without authority.
- The relief request form and supporting documentation must be faxed to (219) 989-4967 or emailed to HR@ihbrr.com prior to the employee's return to duty.

DOCTOR'S NOTES

- When providing a doctor's note, the note must be legible and include the following:
 1. Date the note was written
 2. Patient's name
 3. Diagnosis/treatment information
 4. Date seen
 5. Return to work date stating whether there are or are not any restrictions; and
 6. Doctor's signature
- Any note received that does not contain any of the above information will not be acceptable as a valid doctor's note to excuse an employee's absence.
- Employees may also use form MD201 which is available on the Company's website or from HR.
- The Company may require that an employee submit the original doctor's note in lieu of a copy upon request.
- Doctor's notes must be sent to the Human Resource Department upon return to duty. Notes must be faxed to 219-989-4890 or emailed to doctors.note@ihbrr.com
- Any employee performing safety-sensitive duties must provide diagnosis/treatment information to ensure that they do not have an illness/injury that could affect the safe performance of their duties. If an employee does not wish to provide the diagnosis/treatment information on their note, they may call Human Resources to discuss the reason for their absence or they may ask for a copy of the functional job description for their position and take it to their doctor for review. Their doctor may submit a note indicating that they understand the employee performs safety-sensitive work, they have reviewed the functional job description, and they confirm that the employee can safely perform their duties. This would be an acceptable alternative to providing the diagnosis/treatment information on the doctor's note, provided that all requested information is included.

OTHER

- Employees who have provided documentation or who have an approved leave for a specified amount of time greater than 24 hours are not required to contact their department every 24 hours, provided they have informed their department of their intentions and have been authorized to remain off until a specified date.
- Any employee who is absent for any reason whether excused or unexcused is expected to return to duty the day following the noted absence. Any employee who fails to report off or contact their department for any day/shift, or who fails to return the day after any absence, whether excused or unexcused, will be considered off without authority and subject to discipline.

Melanie Lindner

Melanie Lindner, Director of Human Resources

1-3-2024

Date