

**Mechanical Co-Worker By-Pass Policy for employees
represented by**

**Brotherhood Railway Carmen Division – TCIU (BRC)
Transport Workers Union of America (TWU)
Sheet Metal, Air, Rail and Transportation Workers
(SMART-MD)**

MECHANICAL CO-WORKER BY-PASS POLICY

In a joint effort to provide a safe working environment, and as an alternative method of administering Rule G on the Railroads:

1. If any member(s) of the Sponsoring Organizations believes that another member may be in an unsafe condition, such member may immediately contact a Carrier officer. If the Carrier officer, upon investigation, determines there is an apparent violation of Rule G, the member shall be removed from service.

It is understood that when a removal from service takes place, transportation will be furnished back to the member's home.

2. Once a member has been relieved from service under paragraph "1" above, such member must contact the Company's Employee Assistance Program Counselor on the respective division within five (5) days of removal from service. If the member contacts the Employee Assistance Program Counselor and accepts counseling, he/she will be paid for the balance of a shift, as a result of his/her removal from service.
3. If the member does comply with the requirements set forth in paragraph "2" above, and the Employee Assistance Program Counselor determines that the member is not in need of counseling, the member shall be returned to service. There shall be no claim progressed for any time lost as a result of the removal from service, other than as provided in paragraph "2".

4. If the member does comply with the requirements set forth in paragraph “2” above, and the Employee Assistance Program Counselor determines that the member is in need of counseling, and the member accepts counseling, the member shall, subject to favorable recommendation from the Employee Assistance Program Counselor, be immediately returned to service. There shall be no claim progressed for any time lost as a result of the removal from service, other than as provided in paragraph “2”.
5. If the member does not comply with the requirements set forth in paragraph “2”, or does not accept counseling as provided in paragraph “4”, the Manager, upon being notified of such fact by the Carrier’s EAP Manager, will consider the member as having elected Option C (1) of the original By-Pass Agreement, and will stand a hearing on the violation. Under such circumstances, any provision of an applicable Agreement providing a time limit from the date of the incident in which a hearing must be held, will be considered waived by all parties involved. However, the hearing must be held within ten (10) days from the date the Division Manager was notified.
6. This special handling shall apply one time only to each member covered by this Policy. Thereafter, all regular rules and agreements shall apply.