



North America's Railroad

CN — United States

Union-Represented Employee Attendance Guidelines — Notification Procedures

Revised July 1, 2023

When an employee's attendance exceeds a Guidelines threshold, it is most important that he/she understands what is required of him/her to prevent further non-compliance. An employee must engage in a conversation with his/her manager to clearly identify the factors that contributed to the non-compliance and steps he/she will take to prevent a recurrence of the non-compliance. An employee who reaches or exceeds the thresholds outlined in the Guidelines will be subject to the following progressive Notification Procedures:

- An employee who does not have any active AMC Notices on record will be formally coached (in-person) by his or her supervisor. A First Notice of AMC Non-Compliance will be issued to the employee and placed in the employee's file.
- An employee who has an active First AMC Notice on record will be formally coached (in-person) by his or her supervisor. A Second Notice of AMC Non-Compliance will be issued to the employee and placed in the employee's file.
- An employee who has an active Second AMC Notice on record will be formally coached (in-person) by his or her supervisor. A Third Notice of AMC Non-Compliance will be issued to the employee and placed in the employee's file.
- An employee who has an active Third AMC Notice on record, will be subject to formal investigation. If the facts developed during the investigation establish that the employee was non-compliant with the Attendance Guidelines, the employee will be dismissed.

Note:

- A First Notice of AMC Non-Compliance will no longer be considered "active" if an employee completes eighteen (18) months with no additional AMC Notices issued.
- After the issuance of a Second Notice of AMC Non-Compliance, if an employee completes six (6) months with no additional AMC Notices issued, the Second AMC Notice will no longer be considered "active".
- After the issuance of a Third Notice of AMC Non-Compliance, if an employee completes six (6) months without reaching or exceeding the thresholds outlined in the Guidelines, the Third AMC Notice will no longer be considered "active". If the employee completes an additional six (6) months (one (1) year total) with no additional AMC Notices issued, the Second AMC Notice will then no longer be considered "active".
- For example – if an employee is issued a Second Notice on January 30th and issued a Third Notice on June 30th, the employee would need to avoid AMC non-compliance until December 30th for the Third Notice to no longer be considered "active" and June 30th of the following year for the Second Notice to no longer be considered "active".

Medical Notes:

While medical/doctors' notes do not guarantee an absence will be excused under these Guidelines, you may submit such notes to CN Leave Administration via fax (708-332-4349) or via email (FMLA@cn.ca) within three (3) days of the absence for consideration and review after which a determination will be made. Notes submitted beyond three (3) days of the absence will not be considered.

Contested AMC Notice of Non-Compliance

In the event an employee wants to contest an AMC Notice, the employee may exercise an "Unjust Treatment" option (or similar provision) if provided for in the applicable collective bargaining agreement (CBA). In the absence of such provision in the applicable CBA, an employee contesting a Notice must notify his/her supervisor in writing within ten (10) days of issuance of the Notice. A hearing will be scheduled and held within twenty (20) days of the request, subject to reasonable extensions, for the purpose of the employee having an opportunity to present a case to contest the AMC Notice. A Letter of Findings will be issued within twenty (20) days of the hearing. In the event the employee provides sufficient evidence to refute the AMC Notice, such Notice will be removed from the employee's record.