

RULE 85. TIME LIMIT ON CLAIMS. (a)
Effective March 1, 1958 all claims for compensation other than claims arising out of discipline cases must be initially presented in writing by or on behalf of the employe to the Timekeeping Bureau within 90 days from the date of the occurrence on which the claim is based. Claims not submitted within 90 days from the date of the occurrence will not be valid. If the claim is disallowed,

the employe or his representative shall be notified in writing with the reasons therefor within thirty days of the date same is filed. If not so notified, the claim shall be considered valid and settled accordingly, but this shall not be considered as a precedent or waiver of the contentions of the Carrier as to other similar claims.

Note: It is understood that presentation by the employe or his representative of a trip report, memorandum, or letter in writing, identifying the occurrence and basis for the claim, shall constitute the initial presentation of the claim.

(b) If it is desired to appeal a claim disallowed under paragraph (a), appeal must be made to the designated Carrier Officer within 90 days from receipt of notice of disallowance. If appeal is not made to the designated Carrier Officer within 90 days, the claim shall be considered closed, but this shall not be considered as a precedent or waiver of the contentions of the employes as to other similar claims.

(c) Decision of the designated Carrier Officer shall be made within 60 days from date of appeal. If not so handled, the claim shall be considered valid and settled accordingly, but this shall not be considered as a precedent or waiver of the contentions of the Carrier as to other similar claims.

(d) If the decision of the designated Carrier Officer is rejected and it is desired to appeal the claim further, appeal must be made to the Director of Labor Relations within 90 days from the date of the written notice of declination by the designated Carrier Officer. Failing to comply with this provision, the matter shall be considered closed, but this shall not be considered as a precedent or waiver of the contentions of the employes as to other similar claims.

(e) Decision of the Director of Labor Relations shall be rendered within 60 days from date of appeal providing a conference is not requested by him or the General Chairman. If a conference is requested by either party when claim is originally presented, it will be held within 60

days from date of request, unless postponement is mutually agreed to and decision rendered within 30 days following conference. If conference is requested after decision by the Director of Labor Relations has been rendered, it will be held within 60 days from date of request, and decision rendered within 30 days from date of conference. If not so handled, claim or claims will be considered valid and settled accordingly, but shall not be considered as a precedent or waiver of the contentions of the Carrier as to other similar claims.

(f) Decision by the Director of Labor Relations shall be final and binding unless within one year from date of initial declination or date of conclusion of conference, whichever is first, such claim is disposed of on the property, or proceedings for final disposition of the claim are instituted by the employe or his duly authorized representative. It is understood, however, that the parties may by agreement in any particular case extend the one year period herein referred to.

(g) Claims involving a continued alleged violation of the agreement must be filed by the claimant for each such violation. However, subsequent to the filing of the original or first claim, which must be progressed in accordance with this Rule 85, the designated Carrier Officer and Local Chairman may agree to suspend application of Sections (b) and (c) for any or all claims identical to the original claim and agree that subsequent identical claims shall be settled in accordance with the disposition of the original or first claim presented.

(h) It is understood that Local Chairmen or General Chairman may amend or modify claims without committing a violation of this rule, provided that such change or modification is made within the time limitations provided herein.

Note: See Appendix "A" - Item 85.