



Meaning of FMLA decision

What does the late December federal district court decision mean with regard to the relationship between railroad collective bargaining agreements and the Family and Medical Leave Act (FMLA)?

The effect of the decision is that the FMLA neither authorizes nor prohibits a carrier's contention that the FMLA authorizes them to require employees to substitute paid vacation or personal leave days for unpaid leave under the FMLA.

Federal District Court Judge Wayne R. Anderson ruled that absent mutual agreement on the meaning of the relevant provisions in the collective bargaining agreement, the determination of whether a railroad CBA prohibits such required substitution will have to be determined through arbitration.

Carriers have until Jan. 28 to appeal the decision. They are expected to do so.

The case was brought by the UTU and most other rail labor unions against most major freight railroads.

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