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*File: 24032*  
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General Chairmen

Gentlemen:

As you may be aware, the District Court in Chicago recently ruled on the railroads lawsuit concerning the policy of substituting paid leave for unpaid leave under the Family and Medical Leave Act (FMLA). Some persons have suggested that the ruling means that the Carriers must immediately change their policies requiring substitution of paid leave. That is incorrect.

The District Court decision does not require any immediate changes in the FMLA policy. The Court states that if the collective bargaining agreements allow employees to decide when to use leave, the carriers must abide by those agreements. This leaves for arbitration the question whether any particular agreement does in fact conflict with substitution of paid leave for unpaid leave.

The Court decision is subject to appeal, a process that may take several months. In the meantime, the Carrier's policy regarding substitution of paid leave will remain the same. If you have any questions concerning the FMLA policy, please contact Geneva Dourisseau at (402) 544-4179.

Yours truly,

A handwritten signature in black ink, appearing to read "J. J. Marchant".

**J. J. Marchant**  
Vice President

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