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Surface Transportation Board
395 E Street Southwest
Washington, D.C. 20423

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RE: EP 770 Rail Service Hearing

April 20, 2022

Dear Chairman Oberman,

I am writing you this letter in regards to the Hi-Viz Attendance Policy the BNSF Railway has implemented. I was diagnosed with COVID-19 in January, 2021. I missed 5 weeks of work. In March of 2021, I was diagnosed with Long Covid Syndrome. I missed work for doctors appointments and procedures and then missed 6 more weeks of work in June 2021 due to Pulmonary Rehab. I have fatigue issues to this day from having Long Covid. I applied for FMLA in February 2022 for my Long Covid but was denied due to not having enough hours in the previous 365 days. In order to qualify, you need 1250 hours worked. I had 1206 I believe. I did not qualify because I had an illness that was not under my control. I would not need FMLA if we did not have this Hi-Viz policy. I was able to manage my availability under the previous policy without coming close to getting in trouble.

Today, I went to my doctor for my annual physical. He asked me several questions about my mental health and assessed that my antidepressants need to be upped due to anxiety and depression. I have been on the same meds and dosage for over a decade without any issues. I now have to up my dosage due to my working conditions. This is not acceptable to me, to be honest. But I, along with many other people, am stuck in this situation because at 47 yrs old, what am I supposed to do with my career if I want to have a retirement plan when I am eligible to retire? This is where this company wants us. My doctor is concerned that this kind of working conditions will have dramatic effects on my overall health. If I am forced to go to work fatigued and/or sick, not to mention not being able to have my general health needs met, it could be catastrophic. He talked to me about scheduling my annual mammogram. I told him that I do not know when I would be able to make that appointment because I do not know when I will be home and I

cannot take several days off work just to be home from an appointment. He stressed that if we were to catch breast cancer early, the survival rate is much higher. We all know this but BNSF doesn't seem to care because they are not willing to take a doctors note for such a procedure.

I could go on with many more reasons that this attendance policy is too strict but I'm sure you have heard from many other people on that as well. Please understand that we are not asking for the world here. We are simply just trying to take care of our health and well-being.

Thank you for your time!

Melinda Byerly

BLET DIV 13 Vice Local Chairman

Locomotive Engineer

La Crosse, WI

309-351-3154

Melab23@yahoo.com