

Key Concepts:

1. The February 7, 1965 Mediated Agreement provides eligible railroad employees protections to their wages and healthcare coverage if they are involuntarily furloughed.
2. Employees gain these **“Feb. 7”** protections after they establish 10 years of seniority within their department, subject to other eligibility criteria.
3. The railroads are responsible for publishing yearly lists of employees who achieve Feb. 7 **Protected Status**.
4. A member’s **Protected Rate** is determined by the position they worked on the date they achieved protected status.
5. Employees must apply for Feb 7. benefits through the process laid out in their Agreements.
6. **Employee decisions can cause them to lose their Protected Status or lower their Protected Rate!**



Brotherhood of Maintenance
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Your Rights &
Responsibilities Regarding
“Feb. 7” Protections
Revised October 2023

Your Rights & Responsibilities Regarding “Feb. 7” Protections

*Our members may be
eligible for certain
benefits and protections
if involuntarily
furloughed!*

- **Key Concepts**
- **Important Actions**
- **The Importance of
Designated Legal
Counsel**
- **Where to Learn More**



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Important Actions

“Feb. 7” protections are incredibly complex and can be affected by choices you make in your work well before you become eligible for them! In understanding your Feb. 7 protections, you should:

- **Know your Agreement!** Your Agreement lays out how you can apply for initial and subsequent Feb. 7 benefits payments.
- **Call your BMWED representative!** Your General Chairperson or VC can help you find out if you’re on your railroad’s “Protected List,” learn how to apply for Feb. 7 payments if you’re eligible, or file claims in defense of your rights.
- **Understand your seniority!** Your Protected Status is determined by your seniority, and maintaining your Protected Rate depends on knowing the limits of your full seniority territory!
- Understand that **voluntarily furloughing yourself, or refusing a recall within your district, can forfeit your Protected Status under Feb. 7.** It’s your choice!
- Understand that **“bumping down,” or failing to bid on open jobs while furloughed, can affect your Protected Rate.** Protect your rate by protecting your highest seniority in your district (even on “mobile” positions!)

Key Terms

Protected Status

Your status of protection under the terms of the Feb. 7, 1965 Mediated Agreement. Members who achieve 10 years of service within their department on their railroad, and who worked full time the 3 years before they reached their 10-year anniversary, will achieve Protected Status at the position they hold on their 10-year anniversary.

You can **FORFEIT** or **SUSPEND** your Protected Status by placing yourself on furlough or by refusing a recall when on involuntary furlough. **Once lost, Protected Status cannot be restored!**

Protected Rate

The rate of pay for the position you held when you achieved protected status. This rate is affected by subsequent pay raises, but maintaining it requires you bump to the highest rated position available in your seniority.

If you fail to maintain your Protected Rate, any compensation under Feb. 7 may be offset accordingly.

Feb. 7 is complex! You have support!

Your BMWED Representative can help you determine your Protected Status or future eligibility. They can also direct you toward how to apply for Feb. 7 benefits once you have Protected Status and find yourself involuntarily furloughed.

Your General Chairperson can help you file claims if you believe your rights under your Agreement of the Feb. 7, 1965 Mediated Agreement have been violated!

Remember, it’s up to you to understand how to protect your rights and status under Feb. 7 and seek benefits if you are eligible!

My FEB 7 Information

My Protected Status Date:

My Protected Rate (Position):