

BNSF / BLET Agreed-to Questions and Answers

The following are questions and answers which both parties have agreed-to in an attempt to capstate the numerous issues and complexity of standardizing the Bid and Bump System in accordance with Article 11 of the BNSF 2007 On-Property Settlement

ARTICLE 11 – System Bidding and Bumping

Effective no later than August 1, 2007, permanent vacancies (as defined by existing schedule rules, agreements and the parties' practices) will be filled using the job preference system in accordance with the following:

A. New assignment vacancies shall be advertised for seven calendar days to the affected seniority district(s) and shall state the closing time and date, which shall be at 9:00 a.m. on the seventh day after the date of issue.

B. The advertisement shall include the following information:

1. The nature of the service required, e.g., work, local, road switcher, yard, mine run, etc.
2. The train number or designation.
3. Terminal or terminals of the assignment and limits of the assignment
4. Days of the week service is to be performed and/or rotation of service.
5. Rest days and/or layover point.
6. Time on duty.
7. The office to which corrected job preference certificates will be sent.
8. The date the assignment will be established.

C. Assignments shall be re-advertised and assigned as permanent vacancies when:

1. In assigned road service, when the assignment mileage on road runs is increased or decreased by 300 miles or more per month; changed from straightaway to turnaround or vice-versa; starting times are changed by two hours or more; or if terminals, layover points, or days on which service is to be performed are changed on road runs.
2. When changes are made in the starting time of two hours or more, or the equivalent of 300 miles or more in monthly earnings of engineers on suburban and short turnaround passenger service assignments.
3. In yard service, when on and off duty points, rest days or starting times of assigned jobs are changed by one hour or more.
4. When an extra yard assignment has been run for four consecutive days on the same shift.

D. Incumbents of assignments re-advertised pursuant to the provision of Section C may continue to work the assignment during the period the assignment is being advertised.

Section D, Q1- How will the incumbent on an assignment that is re-advertised continue to the work the assignment during the bulletin period?

Section D, A1- The incumbent must exercise his displacement rights to the re advertised assignment after accepting notification of displacement when the pre existing assignment is abolished, so long as the new assignment is re-advertised prior to the expiration of the affected engineer's 24 hour bump.

Section D, Q2- Will engineer so displaced be permitted to place to assignments under advertisement that are not working while under bulletin?

Section D, A2- No, engineers may only displace to assignments during their 24 hour bump that are under bulletin if the assignment is actively working during the bulletin period.

Section D, Q3- Will engineers who place to assignments that are under bulletin be required to submit an engineer bid showing preference for the new assignment in order to remain on the new assignment when the advertisement closes?

Section D, A3- Yes, when the advertisement closes, all engineer bids will be reviewed with the senior engineer showing preference being awarded the new assignment.

E. Engineer bid sheets must be filed with the proper authority by the current method (presently, in the TSS system).

Section E, Q1- Will engineers be required to file a new engineer bid sheet to remain on the assignment that they are holding when Article 11 is implemented on October 3, 2007?

Section E, A1- No, only those engineers who wish to bid to other assignments, or wish to remain on an assignment under bulletin pursuant to Section D, must file a new engineer bid sheet as part of the implementation. Engineers, who have no desire to bid to a new assignment, or remain on an assignment under bulletin, are not required to have an engineer bid on file.

Section E, Q2- Will engineers assigned to 7/3 Rest Cycle Boards have their rest cycles adjusted or changed as part of the Article 11 implementation on October 3, 2007?

Section E, A2- No

Section E, Q3- Will the "Engineer's Permanent Bid" (former BN) and "Engineer's Standing Bid" (former ATSF) be utilized after Article 11 is implemented on October 3, 2007?

Section E, Q3- No, all engineer assignments will be awarded utilizing "Engineer Bid" when Article 11 is implemented. Engineer Permanent Bid and Engineer Standing Bid history will only be retained for record keeping purposes.

F. Only one engineer bid sheet may be on file at any one time. The engineer bid sheet will designate the assignment desired in preference order, regardless of the class of service (road or yard); i.e., the most desired will be designated as first, the next most desired as second, etc. In the event an applicant is the senior bidder for more than one vacancy being filled simultaneously, assignment will be made to the vacancy for which he has indicated the greatest preference.

G. An engineer bid sheet may be changed or withdrawn at any time prior to the date and time it is honored by serving notice to the proper authority by the current method.

Section G, Q1- Will an engineer's bid sheet be changed or modified if the first preference on the engineer bid sheet is awarded?

Section G, A1- No, an engineer's bid sheet will only be modified if the engineer changes or withdraws the bid sheet.

H. BLET local chairmen will be furnished a list of all road and yard assignments in the seniority district, describing and numbering each assignment, and these listings will be available electronically where engineers go on and off duty.

Section H, Q1-Will hard copies of a list of all road and yard assignments be mailed to the BLET Local Chairmen?

Section H, A1-No, listings of all road and yard assignments will be provided electronically.

I. An engineer displaced from a run or assignment by a senior engineer or whose assignment is reduced or abolished as part of a board adjustment in accordance with schedule rules and/or agreements will have displacement rights to any assignment/board on which he holds active engineer's seniority. This displacement must be exercised within 24 hours of notification of displacement. In the event displacement is not exercised within 24 hours, such engineer will be required to displace the junior engineer working at the location. For those engineers who are displaced while off for any reason, the notification process will begin upon markup and they must also place within 24 hours of notification.

Section I, Q1- Does an engineer have to have an engineer bid sheet on file to exercise a 24 hour displacement?

Section I, A1- No, engineer bid sheets are not used in the exercise of engineer displacement rights. Engineer displacement will be made using the VRU, electronic means or in the event of technology failure, through communication with the crew office.

J. Engineers who are bumped and can still hold the engineer's quota at their location cannot be force assigned to any other location or assignment during their 24-hour bump period. Engineers who are bumped and are unable to hold the engineer's quota at their location will be considered demoted engineers at that location and, after notification and if they have not placed themselves elsewhere, may be force assigned like any other demoted engineer.

Section J, Q1- Will engineers who are bumped and unable to hold the engineer's quota at their location be allowed to displace as an engineer at another location where they can hold the engineer's quota?

Section J, A1-Although Section J considers an engineer who is displaced and unable to hold the quota at their location to be demoted engineer, such engineers will still be entitled to displace as an engineer at another location where they can hold the engineer's quota during the 24 hour engineer bump period. (This does not modify existing application of the former ATSF Ebb and Flow agreement.)

K. A turn added to an existing through freight pool or extra board will be considered an additional assignment and will be immediately assigned to the senior engineer showing preference for it on his engineer bid sheet. The engineer assigned will be subject to call after accepting notification of the assignment change. Unless displaced by an engineer returning from vacation, an engineer will not be permitted to change from one turn to another in the same pool or extra board.

Section K, Q1- When will turns added to pools or extra boards on regular Monday adjustments be assigned?

Section K, A1- Pursuant to Sections U and W, turns added during regular Monday adjustments will be assigned based on the advance calling time for the particular pool/board being adjusted.

L. Except as qualified in Section K and Section S (2), an engineer displacing into an existing through freight pool or extra board will displace the junior engineer.

1. If the junior engineer being displaced is holding a turn that is not at the home terminal, assignment will be made utilizing one of two methods. Within 30 days of the effective date of this agreement, the BLET Local Chairman holding jurisdiction for each pool/board will advise the proper BNSF Officers of which of the following methods will be utilized. Thereafter, the method chosen by the Local Chairman for any given pool may only be changed once every six months, on February 1 and August 1. (In pools where turns work under more than one Agreement, the Local Chairman holding the agreement under which a majority of the turns work will have the authority to make the selection referenced in this Article):

Method 1. Except as qualified in Section K and Section S (2), the displacing engineer will be assigned to the pool turn previously held by the junior engineer on the involved pool board. If that turn is not at the home terminal, the displacing engineer will be shown waiting turn until the turn arrives and is tied up at the home terminal and that pool standing will then be assumed by the displacing engineer.

Method 2. Except as qualified in Section K and Section S (2), the displacing engineer will be assigned to the pool turn previously held by the junior engineer on the involved pool board. If that turn is not at the home terminal, the displacing engineer shall be placed to the foot of the board at the home terminal as it stands at the time of displacement and that pool standing will then be assumed by the displacing engineer. When the displaced engineer returns to the home terminal, that turn shall be extinguished.

M. An engineer absent from service during the bulletined period of a new assignment will be permitted to take such assignment upon return to duty, provided he does so prior to performing any other service, and provided further that his seniority entitles him to the assignment.

N. An engineer who is displaced during the period a new assignment or assignments are under bulletin will be permitted to take such new assignment immediately, provided he is senior to the engineer filling such job during the bulletin period.

O. If the number of engineers' pool turns is reduced, the turn held by the junior engineer will be removed. That engineer will have an exercise of seniority.

P. Any engineer holding seniority as engineer may list any engineers' jobs on his seniority district(s) on his engineer bid sheet.

Q. The parties have agreed to apply the job preference rules as follows:

1. Notification of displacements may be done either by telephone, Voice Response Unit (VRU) or electronically.
2. Job selections will become effective immediately upon filing.
3. A method will be provided allowing the engineer to print his or her own engineer bid sheets showing date and time submitted and allowing the local chairmen to view the history of such bids.

R. Temporary Vacancies

1. Former Burlington Northern Agreement Jurisdiction

(a) Temporary vacancies (a vacancy of less than 30 days that is not a vacation vacancy of 7 days or more) shall be filled from the engineer's extra list for the first seven days of such vacancy. Thereafter, the vacancy will be open to seniority choice and the successful applicant must remain on the vacancy until:

(i) The regular engineer returns

(ii) He is displaced by a senior engineer

(iii) He is awarded a permanent position under the job preference system. In this event, he will have the option of remaining on the temporary vacancy or going to the permanent vacancy.

(b) Vacancies of 30 days or more are considered to be permanent vacancies and shall be filled by job preference

2. Former Santa Fe Agreement Jurisdiction

(a) Except where covered by existing pool agreements, temporary vacancies (a vacancy of less than 7 days that is not a vacation vacancy of 7 days or more) shall be filled from the engineer's extra list for the first seven days of such vacancy.

(b) Vacancies of 7 days or more are considered to be permanent vacancies and shall be filled by job preference.

Section R)1), Q1- Are local agreements modifying temporary vacancy rules on former Burlington Northern territories that predated Article 11 cancelled?

Section R)1), A1- Yes

Section R)1), Q2- If Engineer A is absent for 7 days and Engineer B places to Engineer A's temporary vacancy, will Engineer B's permanent assignment be filled by the extra board for 7 days and become open to seniority selection as a temporary vacancy after 7 days?

Section R)1), A2- Yes, if Engineer B is absent from his turn for more than 7 days, that turn will become open to seniority selection as a temporary vacancy after 7 days. The "days" referenced in R)1) will be measured in 24

hour increments from the time the engineer begins the absence.

Section R)1), Q3- How will engineers that are displaced from a temporary vacancy for any reason be returned to their permanent assignment?

Section R)1), A3- Engineers who are displaced from a temporary vacancy will be returned to their permanent assignment upon taking notification of their displacement. They will not be afforded a 24 hour displacement right, instead they will be returned to the permanent assignment held prior to taking the temporary vacancy when they accept that notification.

S. Permanent Vacancies and Vacation vacancies of seven (7) days or more will be immediately assigned to the senior engineer showing preference for it on his engineer bid sheet.

1. Vacation vacancies of 7 days or more will be filled on the first day of the vacancy by awarding the assignment to the senior applicant making application for the assignment.

2. While on vacation, the engineer will be placed to the "vacation board". On return from vacation, the engineer will be given full displacement rights with one exception. If the engineer so desires, he may place to his previous pool turn and its position (or in the case of an engineer who went on vacation while working a "rest-cycle" board, to his previous rest-cycle) regardless of the seniority standing of the engineer who was awarded his pool turn or rest-cycle while he was on vacation. Engineers will be allowed to return from vacation and exercise the displacement described herein at any time during the 24 hours of the last day of vacation.

3. Engineers returning from a "known vacancy" (other than vacation vacancies – covered by 1 above) shall be afforded displacement rights consistent with the terms of this agreement.

Section S, Q1- When will engineer permanent vacancies be filled on former ATSF assignments where permanent vacancy fill was previously delayed when the vacancy came open on rest days, holidays, or when the turn was not 5 times out or more?

Section S, A1- Permanent Vacancies for the involved assignments on the former ATSF will be filled immediately when the vacancy comes open.

Section S, Q2- When will a vacation vacancy of 7 days or more be filled as a permanent vacancy if the engineer takes any compensated or non compensated days off directly ahead of the vacation?

Section 2, A2- The assignment will be filled on the first day of the scheduled 7 day or more vacation regardless of other day's off directly preceding the vacation start. If the vacation is moved to follow rest cycle or is moved to start early up to 72 hours, the assignment will be filled on the day that the 7 day or more vacation actually begins.

Section 2, Q3- Will engineers be permitted to bid to and from turns that are "activated" and immediately be assigned to work the new assignment?

Section 2, A3- Yes, engineers bidding by choice are not restricted due to their being active or the assignment being active.

Section 2, Q4- In what order will permanent vacancies be filled when new turns are added to an individual pool due to mileage regulation and vacated turns (vacations of 7 days or more and when engineers bid off of the turn) at the same time?

Section 2, A4- Turns added for mileage regulation will be filled first and awarded to the senior engineer bidding to that pool and vacated turns will be filled next.

Section S)2), Q5- How will vacations be filled for those engineers who are promoted (bid or forced) while already on vacation?

Section S)2), A5- If an engineer is promoted (bid or forced) to the engineer's quota while on vacation and there are 7 days or more of remaining vacation, the engineer's new permanent assignment will be filled immediately as an engineer vacation of 7 days or more in accordance with Section S)2). The affected engineer will be placed to the engineer's bump board at the expiration of the vacation and will be afforded a 24 hour displacement right at that time.

Section S)2), Side Letter 10, Q6- Will engineers be allowed to return to the specific turn that was held prior to vacation when Side Letter 10, Method 2 has been selected for that location if Section L, Method 2 A and/or B have been selected for the involved pool?

Section S)2), Side Letter 10, A6- No, If Section L, Method 2 A and/or B have been selected for the involved pool, the displacing engineer will be required to displace the junior engineer and will be placed according to Method 2 A and/or B.

Section S)2), Side Letter 10, Q7- Will engineers who are working at a location where Side Letter 10, Method 2 has been selected and Section L Method 1 has been selected for the involved pool be allowed to choose to displace the junior man in the pool or return to the turn previously held on a displacement by displacement basis?

Section S)2), Side Letter 10, A7-Yes

Section S)2), Side Letter 10, Q8- Will engineers be allowed to elect to return to the rest cycle and/or return to turn held prior to vacation of 7 days or more in advance of the vacation start?

Section S)2), Side Letter 10, A8- Yes, however those pre-selecting and then returned to the rest cycle and/or turn held prior to vacation will be considered to have exercised their displacement unless they are unable to hold the involved board or pool at the end of the vacation and/or the end of rest cycle following vacation. Those unable to hold the involved board or pool will then be given a 24 hour displacement right.

Section S)2), Side Letter 10, Q9- Will engineers who do not elect to return to the rest cycle held prior to vacation of 7 days or more in advance of vacation be allowed to return to that cycle or previously held turn upon return from vacation?

Section S)2), Side Letter 10, A9- Yes, so long as the displacement and election to return to rest cycle or previously held turn is exercised prior to the expiration of the 24 hour displacement.

Section S)2), Side Letter 10, Q10- Will engineers who choose to return to their rest cycle (pre-selection or upon return) be required to observe the rest cycle days upon return.

Section S)2), Side Letter 10, A11- No, they may choose to take the rest cycle days off but are not required to take the days off unless the conditions of the rest cycle agreement require that the rest days be observed.

Section S)2), Side Letter 10, Q11- Will engineers who choose to return to rest cycle as part of their exercise of displacement after the end of the vacation (no pre-selection) be allowed to observe the remainder of the rest

cycle?

Section S)2), Side Letter 10, A11- Yes, engineers who place to their previous rest cycle as part of the exercise of displacement after the vacation ends will be given the choice to work or to observe the remainder of the rest cycle and all advance notification requirements to select work or rest are waived.

Section S)2), Side Letter 10, Q12- When will engineers assigned to turns that were filled as permanent vacancies due to vacation of 7 days or more be released with displacement rights?

Section S)2), Side Letter 10, A12- Engineer assigned to permanent vacancies due to vacation of 7 days or more own the new permanent assignment until displaced. If the returning engineer elects to return to the rest cycle held prior to vacation or to the turn held prior to vacation, the engineer being displaced will be released as follows:

A: If the returning engineer elected to return to rest cycle or turn at any time prior to the vacation end, the displaced engineer will be released and given full displacement rights at the time that the vacation ends.

B: If the returning engineer does not pre-select return to rest cycle or turn prior to the end of the vacation, he will be placed to the bump board at the time the vacation ends. If he later places to the rest cycle or turn held prior to vacation, the displaced engineer will be released and given full displacement rights at the time that the returning engineer places.

Section S)2), Side Letter 10, Q13-When will engineers be placed to the bump board if they have pre-selected to move their vacation to follow rest cycle, pre-selected to observe those rest cycle days and are then displaced from that rest cycle after starting the rest cycle but prior to vacation start?

Section S)2), Side Letter 10, A13- If the affected engineer does not take notification of the displacement from the rest cycle during the rest cycle, (prior to the vacation start) he will remain laid off on rest cycle and will be moved to the vacation board at the beginning of the vacation. If the affected engineer has chosen to return to rest cycle following vacation and has elected to observe those rest days, he will be moved to the bump board at the expiration of the rest cycle following vacation. If he does not elect to observe the rest days following vacation, he will be moved to the bump board at the expiration of the vacation.

If the affected engineer takes notification of the displacement from the rest cycle during the rest cycle prior to the vacation start, he will be placed to the bump board upon taking notification and will have a 24 hour displacement. However his vacation will still begin at the expiration of the rest cycle that it had been pre-selected to follow.

Section S), Q14-When will engineers be placed to the bump board if they have a pre approved lay off request (non LRC) to be off following vacation?

Section S), A14- If the affected engineer has been approved to be off following vacation prior to the vacation start, he will be moved to the bump board at the expiration of the approved lay off. Engineers who return from vacation without a pre approved lay off (non LRC) to follow vacation will be placed to the bump board at the expiration of the vacation and must exercise their displacement rights before subsequently laying off.

Section S), Q15- How will vacations be handled that start prior to the implementation of Article 11, but end after the implementation date?

Section S), A15- Vacations will finish in the same manner that they begin to include application of temporary vacancy rules where applicable.

Section S), Q16- Will former BN agreements that require a minimum tie down or hold down to a particular assignment be modified by Article 11?

Section S), A16- Tie down/hold down agreements are not modified by Article 11. However, engineers who begin and end a vacation of 7 days or more while working under a continuous tie down/hold down requirement must return to their previous assignment at the expiration of the vacation, to include displacing a senior engineer if necessary, and their displacement rights following vacation will be limited to that exercise of seniority. Engineers who's tie down obligation expires while on vacation of 7 days or more, or who are on a vacation of 7 days or more when a tie down assignment is re bulletined and awarded, will have full displacement rights to include the right to displace to the re bulletined tie down assignment if they have sufficient seniority.

T. All scheduled vacation periods of one day or more duration which previously began at 12:01 am or 7:00 am shall begin at 9:00 a.m. on the first day of the vacation period, and such vacation period shall end at 8:59 a.m. on the first day following the vacation period. Engineers will be returned to service following vacation in the manner described below. Times herein are based on local railroad time for the involved location.

Example: A vacation period scheduled for Monday, January 1, through Sunday, January 7, will actually begin at 9:00 a.m. on Monday, January 1, and end at 8:59 a.m. on Monday, January 8.

1. Single Day(s) Vacation

Engineers taking a single vacation day(s) will be removed from and returned to the board based on advance calling times for the Terminal to which assigned.

Example: The calling time for Terminal A is 90 minutes. Employees taking a single day vacation are removed from the board at 7:30 am so they are not called for an assignment at 9:00 am or later and will return to the board the following day at 7:30 so they are available for calls at 9:00 am or later.

Engineers whose assignments are called to protect or assigned to protect service between 12:01 a.m. and 9:00 a.m. on the first single vacation day(s) will not be called for that service. Instead, they will be "laid off vacation" at the time of that call for their assignment and their assignment will be filled by the extra board, except where covered by existing pool agreements. Engineers called prior to 12:01 a.m. who work into the start of the single vacation day(s) will have their scheduled vacation begin upon tie up at the home terminal. Engineers observing less than 7 days vacation will be allowed to mark up for service prior to the expiration of the full vacation at any time during the 24 hours of the last day of vacation.

2. Vacations of Seven (7) days or more

Engineers taking seven or more vacation days will be removed from their assignment/turn and placed to the vacation board based on advance calling time for the Terminal to which assigned. The vacated assignment will be filled pursuant to Section S at that time. At the expiration of the vacation period, the engineer will be returned to the bump board based on the advance calling time for the Terminal to which he was assigned when the vacation began. The 24 hour bump will begin at that time with no notification necessary.

Example: The calling time for Terminal A is 90 minutes. Employees taking a vacation of 7 days or more are removed from the board at 7:30 am so they are not called for an assignment at 9:00 or later and their assignment is filled as a permanent vacancy at that time. At the expiration of the

vacation period, the employees are placed to the bump board at 7:30 am with no other notification necessary.

Engineers whose assignments are called to protect or assigned to protect service between 12:01 a.m. and 9:00 a.m. on the first vacation day of a known vacation period of seven (7) days or more will not be called for that service. Instead, they will be moved to the vacation board at the time of that call and their assignment will be filled by the extra board until it is filled as a permanent vacancy pursuant to Section S. Engineers called prior to 12:01 a.m. who work into the start of the vacation period of seven (7) days or more will have their scheduled vacation begin upon tie up at the home terminal.

An engineer who extends a vacation of seven days or more for any reason will extend the 8:59 a.m. markup to the first 8:59 a.m. following the layoff. In other words, if an engineer marks off the day following his vacation, he will be required to mark up at 8:59 a.m. the following day.

3. Engineers on assignments having assigned rest days or rest cycle days will be allowed to adjust the start time of a vacation of 7 days or more to immediately follow the assigned rest days or rest cycle days of the assignment.

Section T, Q1- How will engineers move their vacation to follow rest cycle?

Section T, A1- Engineers desiring to move their vacation to follow their rest cycle must move the vacation start to follow the closest rest cycle as follows. If the vacation begins on days 1, 2 or 3 of a rest cycle the first day of vacation will be the first day following that rest cycle. If the vacation begins on days 1-4 of a work cycle, the vacation will be moved to start on the first day following the preceding rest cycle. If the vacation begins on days 5-7 of the work cycle, it will be moved to start on the first day following the subsequent rest cycle.

Section T, Q2- Will engineers be allowed to move the start of a vacation of 7 days or more up to 72 hours in advance of a vacation start?

Section T, A2- Yes, engineers desiring to start their vacation up to 72 hours in advance may elect to do so. They may also pre-select that option and it will become applicable following any tie up that occurs within the 72 hour window. Those starting their vacation early under this provision will also end their vacation early based upon 24 hours for each day of vacation observed. The permanent vacation once moved will also be filled as a permanent vacancy at the time that it begins. Engineers may not utilize this 72 hour feature and the move to follow rest cycle to move the start of the same vacation period.

Section T, Q3- Will agreements requiring minimum lay off periods be applicable to single day vacations?

Section T, A3- Yes, engineers may return up to 24 hours early when taking one or more single days of vacation, but only if they have satisfied any minimum lay off provisions in affect on their permanent assignment.

U. To standardize pool adjustments for mileage regulation and weekly extra board adjustments with vacation vacancy fill, all pool and extra board adjustments shall occur to be effective on Mondays at 0900. Turns added to pools or extra boards will be assigned based on advance calling time for the Terminal to which assigned and new or vacated turns will be filled pursuant to Section K at that time. Turns reduced from pools or extra boards during board adjustments will be based on the advance calling time for the involved boards and the notification process described in Section I will begin at that time for engineers assigned to reduced turns or abolished assignments.

Section U, Q1- Where Local Chairmen calculate mileage adjustments, when will the Local Chairmen be required to notify Crew of the appropriate Monday adjustments?

Section U, A1- Pool adjustments due to regulation must be provided to Crew in advance of the calling time for the involved assignments?

V. 1. All references to 7:00 am lay offs in existing 7/3 Overlay Rest Cycle Agreements are modified to 9:00 am and all corresponding times are adjusted accordingly.

2. Extra board guarantee will be calculated on 24 hour basis instead of a calendar day basis for all lay offs including vacation and personal leave.

W. In the application of Section T and Section U, it is recognized that some terminals have different calling time lengths for the pools/boards headquartered at a single location. The parties agree that the appropriate local chairmen will meet with the appropriate BNSF officers to discuss development of standard call times for those terminals. It is recognized that until those call times are standardized, assignments filled pursuant to Section T and Section U at those terminals where individual boards have different call time lengths will be filled using the separate call times for each pool/board.

Section W, Q1- When will Monday adjustments be made for extra boards that protect multiple call length times?

Section W, A1- Until call times are standardized, Monday adjustments for extra boards that protect multiple call times will be made to coincide with the longest call time that the extra board protects.

X. This Article is intended to create a new system for job assignment/selection applicable to locomotive engineers on BNSF Railway and so supersedes all previous rules, agreements, practice and understandings governing that subject. Except as modified herein, all other rules, agreements, practice and understandings remain unchanged.

April 26, 2007

Side Letter 2

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Mr. Austin Morrison
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Amarillo, TX 79110

RE: Article 11

Gentlemen:

The parties have agreed in Article 11 that those agreements and understandings not expressly modified in Article 11 remain unchanged. It is understood that the following agreements, understandings and corresponding applications are not modified by Article 11.

1. 30-Day Bump - The provisions of existing 30 day bump agreements continue to be applicable on the various Committees as they were before with the following qualifiers: Employees who hold active seniority on more than one "consolidated" seniority district will be allowed to exercise 30 day bumps on all districts that they hold active seniority on, and all 30-day bumps will be administered without using engineer bid sheets.
2. Force Assignment - The provisions of existing agreements and understandings governing force assignment to vacant engineer assignments continue to be applicable on the various Committees as they were before, including existing and applicable displacement rights when forced and existing and applicable rules governing release from force assignment.
3. Engineer Displacement - Only those demoted engineers who were previously allowed by agreement to displace promoted engineers will retain that right.

April 26, 2007

Side Letter 3

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RE: Article 11

Gentlemen:

The following will be applicable to Section R(1) of Article 11, "Temporary Vacancies" (Former BN):

1. When the BLET Local Chairman and the designated BNSF Officer are both reasonably certain that an engineer will be absent for over 30 days, the assignment may be filled as a permanent vacancy prior to the 30th day. If the BLET Local Chairman and the designated BNSF Officer have not agreed, the assignment will be filled on the 31st day.
2. Temporary vacancies of less than 30 days on the Extra Board will not be open to seniority choice described in Section R(1)(a).
3. Once Engineer A's temporary vacancy has exceeded 7 days and Engineer B has placed to that assignment by seniority choice, if Engineer B later takes a vacation of 7 days or more, his permanent assignment will be considered a permanent vacancy and will be filled in accordance with Section S and Engineer B will be placed to the vacation board. Engineer A's temporary vacancy will immediately be open to selection by seniority choice and it will not be required that the vacancy be protected by the extra board for an additional 7 days.
4. Only those engineers who are tied up at their assigned home terminal will be allowed to exercise seniority choice to an open vacancy pursuant to Section R(1)(a). It is further understood that engineers will only be allowed to mark by seniority choice pursuant to Section R(1)(a) to open vacancies within the zone or source of supply that they are permanently assigned to as an engineer.

The following will be applicable to Section S(2) of Article 11, "Permanent Vacancies":

1. Engineers who have taken a vacation of seven (7) days and been placed to the vacation board will have their engineer bid sheet inactivated until after they have returned from vacation and exercised their displacement rights pursuant to Section S(2).

April 26, 2007

Side Letter 4

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RE: Article 11

Gentlemen:

This confirms the following understandings reached regarding Article 11 "System Bidding and Bumping."

1. Monday Board Adjustments-Section U of Article 11 states as follows:

"To standardize pool adjustments for mileage regulation and weekly extra board adjustments with vacation vacancy fill, all pool and extra board adjustments shall occur to be effective on Mondays at 0900. Turns added to pools or extra boards will be assigned based on advance calling time for the Terminal to which assigned and new or vacated turns will be filled pursuant to Section K at that time. Turns reduced from pools or extra boards during board adjustments will be based on the advance calling time for the involved boards and the notification process described in Section I will begin at that time for engineers assigned to reduced turns or abolished assignments."

During our negotiations, it was apparent that the various locations across the property currently make their pool and extra board adjustments on different days of the week and/or different days of the month. It is understood that in the application of Section U, the BLET will not be required to make weekly board adjustments. This will not affect existing checkback periods. But whenever a board adjustment is to be made at any given location, it will be made to be effective on a given Monday at 0900.

2. Beginning Vacation/Overlay Rest Days-Article 11, Section T & Section V

Pursuant to Section T of Article 11 and the corresponding language of existing 7/3 Overlay Agreements as modified by Section V of Article 11, engineers whose assignments are called to protect or assigned to protect service between 12:01 a.m. and 9:00 a.m. on the first day of vacation or rest day cycle will not be called for that service. Instead, it will become mandatory that they be laid off at the time of that call for their assignment and their assignment will be filled by the extra board, except where covered by existing pool agreements. It is understood that any time spent "laid off" between 12:01 AM and 9:00 AM under this provision will not be counted as an absence under any Carrier attendance policy.

April 26, 2007

Side Letter 9

Mr. Dennis Pierce
General Chairman, BLET
801 Cherry Street, Suite 1010, Unit 8
Fort Worth, TX 76102

Mr. Pat Williams
General Chairman, BLET
101 N. Beverly
Crowley, TX 76036

Mr. Rick Gibbons
General Chairman, BLET
P.O. Box 28066
Kansas City, MO 64188-0066

Mr. Austin Morrison
General Chairman, BLET
7637 Canyon Drive
Amarillo, TX 79110

RE: Article 11

Gentlemen:

The following will be applicable to Sections I and J of Article 11 at “consolidated” terminals where more than one “zone” is in place.

When engineers are required to displace the junior engineer at a “location” (Section I), or when an engineer is bumped and cannot hold the engineer’s quota at their “location and then considered to be a demoted engineer at that location,” it is understood that ,consistent with existing applications, each “zone” within a consolidated terminal is to be considered its own separate “location.”

April 26, 2007

Side Letter 10

Mr. Dennis Pierce
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Kansas City, MO 64188-0066

Mr. Austin Morrison
General Chairman, BLET
7637 Canyon Drive
Amarillo, TX 79110

RE: Article 11

Gentlemen:

Section S) 2) of Article 11 will be applied in the following fashion for engineers returning from vacation.

All engineers assigned to pools or extra boards that work under a 7/3 Rest Cycle Agreement will be allowed to place to the specific rest cycle that was held prior to vacation, regardless of the seniority standing of the engineer who was awarded his rest cycle while he was on vacation with the following qualifier. The returning engineer must return to the same pool or extra board assigned to ahead of vacation, and he must have sufficient seniority to hold the pool or extra board on return from vacation. When the returning engineer is placed back to the original rest cycle, the youngest engineer on the affected rest cycle will be assigned to a new rest cycle if it is necessary to balance rest cycle without any change to pool placement.

Within 30 days of the effective date of this agreement, the BLET Local Chairman holding jurisdiction for each location, or zone at a consolidated location, will poll their membership and advise the proper BNSF officers of which of the following methods will be utilized for engineers returning from vacation who wish to return to the previous pool turn and its position. Thereafter, the method chosen by the Local Chairman for any given location may only be changed once every six months, on February 1, and August 1.

Method 1. Engineers returning from vacation will displace the junior engineer assigned to the pool or extra board and will not be allowed to return to the specific turn that was held before vacation unless it is held by the junior engineer in the pool.

Method 2. Engineers returning from vacation will displace the junior engineer assigned to the pool, unless they choose to return to the specific turn that was held prior to vacation, regardless of the seniority standing of the engineer who was awarded his turn while he was on vacation with the following qualifier. The returning engineer must return to the same pool assigned to ahead of vacation and he must have sufficient seniority to hold the pool on return from vacation. At "consolidated" terminals where more than one "zone" is in place, each separate "zone" within a consolidated terminal is to be considered its own location in the application of Method 2.

June 26, 2007

Side Letter 13

Mr. Dennis Pierce
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Mr. Pat Williams
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Mr. Austin Morrison
General Chairman, BLET
7637 Canyon Drive
Amarillo, TX 79110

Gentlemen:

1. The following understanding has been reached in the application of 30 day bumps pursuant to Article 11 and Side Letter No. 2 of the 2007 BLET/BNSF Agreement .

To further standardize the application of 30 day bumps, any restriction linking the exercise of a 30 day bump to a regular board adjustment time or day is cancelled. When eligible for 30 day bump rights, an engineer may exercise the 30 day bump at any time consistent with Subpart 1 of Side Letter No. 2 with the following qualifier.

Those engineers assigned to variable calling boards will not be allowed to exercise a 30 day bump while "activated". In addition, those assigned to variable calling boards cannot be bumped or displaced after being activated. Instead, those activated will remain on their assignments until called out as a "900" series turn and the engineer displacing onto the variable calling board will be placed to the foot of the inactive board at the time of the displacement. It is also understood that in the application of a 30 day tie down in yard service after exercising a 30 day bump (where applicable), time spent on vacation will not extend the 30 day tie down. On the former C&S property, the 5 day bump as previously applicable, remains in effect but will be administered in the same fashion as 30 day bumps.

2. In the application of Article 11 and Side Letter No. 10, all requirements for advance notification to take rest cycle days are waived for those engineers who are assigned to pools or extra boards that work under a 7/3 Rest Cycle Agreement when they exercise the option to return to their previous rest cycle following a vacation of 7 days or more.

September 13, 2007

Side Letter 16

Mr. Dennis Pierce
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Kansas City, MO 64188-0066

Mr. Austin Morrison
General Chairman, BLET
7637 Canyon Drive
Amarillo, TX 79110

Gentlemen:

Re: Article 11, Section L, Side Letter 13

To continue previous handling of displacement into certain "active/inactive", "primary/secondary" or "activation" pools, the following understanding has been reached in the application of Article 11, Section L and Side Letter 13. Method 2 of Section L allows displacing engineers to be placed to the foot of the board at the time of displacement when the turn that they are displacing to is not at the home terminal. It is understood that this option is available to all pools. Those selecting Method 2 will also be given the option to apply this methodology to turns that are still at the home terminal but have been "activated". If the "activated" option is also selected, the methodology described in Side Letter 13 will be applicable as follows. Those "activated" by any means cannot be physically bumped or displaced from the active list once activated. Instead those activated will remain on their assignments even if bumped while activated until their assignments are called out as a "900" series turns and the engineer displacing onto the active board will be placed to the foot of the inactive board at the time of displacement.

Regardless of the Method chosen under Section L, it is understood that engineers displacing engineers at the home terminal in other than "active/inactive", "primary/secondary" or "activation" pools, or displacing engineers who are on an "inactive/secondary" board at the home terminal will assume the turn and board standing of the engineer and turn that they are displacing too.

Sincerely,

Accepted:



BLET General Chairman



BLET General Chairman



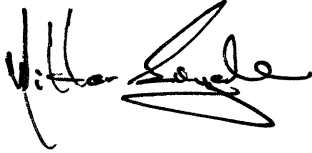
BLET General Chairman



BLET General Chairman

We hereby agree to the aforementioned questions and answers:

For BNSF:



For the BLET:



BLET General Chairman



BLET General Chairman



BLET General Chairman



BLET General Chairman

2007 BNSF / BLET On-Property - Option Selection Form

Article 11 – L, 1. (Pool Specific)

(Place a check mark on the appropriate line)

_____ Method 1. Except as qualified in Section K and Section S (2), the displacing engineer will be assigned to the pool turn previously held by the junior engineer on the involved pool board. If that turn is not at the home terminal, the displacing engineer will be shown waiting turn until the turn arrives and is tied up at the home terminal and that pool standing will then be assumed by the displacing engineer.

_____ Method 2*. Except as qualified in Section K and Section S (2), the displacing engineer will be assigned to the pool turn previously held by the junior engineer on the involved pool board. If that turn is not at the home terminal, the displacing engineer shall be placed to the foot of the board at the home terminal as it stands at the time of displacement and that pool standing will then be assumed by the displacing engineer. When the displaced engineer returns to the home terminal, that turn shall be extinguished.

* _____ Method 2 – A Not to include turns that are at the home terminal in either active or inactive status

* _____ Method 2 – B To include turns that are at the home terminal in active status, but not to include turns at the home terminal in inactive status

Location: _____ Pool: _____

Local Chairman: _____

BLET Division: _____ Dated: _____

Note: These selection(s) will stay in effect until changed on one of the bi-annual dates specified within the agreement. Whereas a Division may have more than one "pool" under its jurisdiction, you will need to fill out a separate form for each pool.

2007 BNSF / BLET On-Property - Option Selection Form

Side Letter #10 (Location Specific)

(Place a check mark on the appropriate line)

_____ Method 1. Engineers returning from vacation will displace the junior engineer assigned to the pool or extra board and will not be allowed to return to the specific turn that was held before vacation unless it is held by the junior engineer in the pool.

_____ Method 2. Engineers returning from vacation will displace the junior engineer assigned to the pool, unless they choose to return to the specific turn that was held prior to vacation, regardless of the seniority standing of the engineer who was awarded his turn while he was on vacation with the following qualifier. The returning engineer must return to the same pool assigned to ahead of vacation and he must have sufficient seniority to hold the pool on return from vacation. At "consolidated" terminals where more than one "zone" is in place, each separate "zone" within a consolidated terminal is to be considered its own location in the application of Method 2.

Location: _____ Zone: _____

Local Chairman: _____

BLET Division: _____ Dated: _____

Note: This selection will stay in effect until changed on one of the bi-annual dates specified within the agreement. Whereas a Division may have more than one "location" or "zone" under its jurisdiction, you will need to fill out a separate form for each location / zone.