

MEMORANDUM OF AGREEMENT
Between The
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
And The
BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

1. The intent of this Agreement is to establish prior rights zones on the Kansas City West – Newton East – Topeka/Emporia Seniority District to stabilize the supply of qualified locomotive engineers on those prior rights zones, as well as protect the rights and obligations associated with engineers who have or will establish seniority on the Kansas City West – Newton East – Topeka/Emporia Seniority District.

1.1 The parties recognize that engine service employees headquartered at the three (3) sources of supply on the Kansas City West – Newton East - Topeka/Emporia Seniority District must possess variant skills depending on the locations and characteristics associated with each source of supply.

2. All road and yard service protected by the Kansas City West source of supply shall be the Kansas City West prior right zone; all road and yard service protected by the Topeka/Emporia source of supply shall be the Topeka/Emporia prior right zone; all road and yard service protected by the Newton East source of supply shall be the Newton East prior right zone.

3. BNSF may advertise for applicants desiring to accept promotion to locomotive engineer at each source of supply.

3.1 This Section does not amend an employee's obligation to accept promotion as contained in National Agreements.

4. In the event the Brotherhood of Locomotive Engineers believes that BNSF is not promoting sufficient Engineers to protect service on any of the prior right zones, the General Chairman may advise the General Director of Labor Relations responsible for the territory and a meeting shall be held within fifteen (15) days to determine whether or not the parties are complying with the intent of this Agreement.

5. Permanent vacancies, at outlying points, that must be force assigned, shall be filled by the junior demoted Engineer at the source of supply for that zone.

6. Engineers reduced from the active working list at the source of supply shall not be obligated or expected to exercise engine service seniority to another prior right zone, however, this Section shall not serve to restrict the voluntary exercise of engine service seniority on the Kansas City West – Newton East – Topeka/Emporia Seniority District.

