

LETTER OF UNDERSTANDING
BETWEEN THE
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
(FORMER FW&D)
AND
BURLINGTON NORTHERN SANTA FE RAILWAY CO.

FW&D Rule 69 – BIDS is amended to read;

- A. All bids for former BN (FWD) vacancies or new runs will be made in writing and addressed to the party posting advertisement. The senior engineer either promoted or demoted making application will be assigned. Cancellation of bid prior to expiration of advertisement will be in writing.
- B. In the event no bids are received, the vacancy will be filled by force assignment of the junior demoted Engineer at the location where the vacancy exists.

NOTE: "At the location" as used in this understanding, means the terminal where the source of supply protecting such vacancy is located.

- C. If none, by force assignment of the junior demoted engineer from the nearest location by highway miles to where the vacancy exists. The engineer force assigned will remain on same until he is displaced or secures another job under this or other existing rule(s) or exercises paragraph (D) of this understanding.
- D. By virtue of being force assigned, it is understood that any Engineer force assigned pursuant to the above will have displacement rights to any position held by a junior Engineer, provided those rights are exercised within applicable time limits of being notified of the force assignment.

Note: "Notified," as used above, mean available for service and proper notification by crew management has been made.

- E. Aside from the standing bid method, the above paragraphs also apply to the filling of former BN (FWD) allocated vacancies in yard service at Amarillo and Fort Worth.

It is further confirmed that this letter of understanding does not serve to nullify or amend any other agreement(s) or condition(s) concerning the bulletin – bid method in place on the former FW&D in regard to bidding or force assignment of Engineers other than so noted herein.

This letter of understanding may be cancelled by ten days written notice by either party on the other, and the parties will meet promptly to discuss the issuance of such notice.



Austin Morrison
FWD – BLE General Chairman

10-24-00
Date



Gene Shire
BNSF Labor Relations General Director

10-24-00
Date

BNSF



Gene L. Shire
General Director – Labor Relations

Burlington Northern Santa Fe

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Mr. Austin Morrison
General Chairman BLE
7637 Canyon Drive
Amarillo, Texas 79110

January 28, 2003

Dear Mr. Morrison,

This is in regard to our discussion of even date concerning the force assignment of demoted engineers, in particular to Wichita Falls, Texas.

We agreed that the force assignment of demoted engineers to engineer vacancies on the former Fort Worth and Denver (FWD) was governed by former FWD agreements. Further, we understood that, regardless of location or job held, employees holding seniority as engineers on the former FWD BLE seniority roster are subject to its terms.

For example, your agreement eventually requires the force assignment of a demoted engineer from the "nearest location by highway miles." I agreed with you that this provision applies to engineers holding seniority on your seniority roster, regardless of where that individual may be working. In the case of Wichita Falls, the "nearest location" would be Gainesville, providing that there is a demoted engineer at Gainesville holding seniority on your seniority roster.

If the foregoing accurately reflects our understanding, please affix your signature in the space provided below on copy of this letter and return a fully executed copy to my office.

Sincerely,

A handwritten signature in black ink, appearing to be "Gene L. Shire".

I Agree

A handwritten signature in black ink, appearing to be "Austin Morrison".

General Chairman