



Matt Wilson
General Chairman
BNSF(CB&Q/GN/NP/SP&S)-MRL

Rick Gibbons
General Chairman
BNSF (SLSF)-MNA

Pat Williams
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BNSF (ATSF)-PHL

Brotherhood of Locomotive Engineers and Trainmen

IBT Rail Conference

Mr. Jason Ringstad
General Director Labor Relations
The BNSF Railway Company
Post Office Box 961030
Fort Worth, Texas 76161-0030

December 4, 2009
Re: Article 11, 2007 Agreement
Board 57 Daily Mark KC Yard

Dear Mr. Ringstad:

This is in reference to Article 11 of the June 26, 2007 BLET/BNSF On Property Agreement and its application to the March 20, 1967 Memorandum of Agreement governing Daily Mark, Board 57, at the consolidated Kansas City Yard.

The parties previously attempted to resolve problems stemming from application of Article 11 with Letter of Understanding dated February 20, 2008. However, additional modification is required. Therefore, in a further attempt to create an improved Daily Mark process, the parties have agreed to modify the conditions of the March 20, 1967 Agreement as applicable pursuant to BNSF/BLET Implementing Agreement No. 4 in the following manner.

1. All engineers exercising normal displacement rights to Board 57 between quarterly (90 day) Sadie Hawkins Day's will be allowed displacement rights to any set of rest days, seniority permitting, to displace the junior engineer on those selected rest days.
2. If a yard engineer fails to bid during Sadie Hawkins Day, s/he will be placed according to their previous selection prior to Sadie Hawkins Day. In other words, if an engineer was in daily mark prior to Sadie Hawkins Day then s/he will be automatically placed back into daily mark and onto the same rest days, seniority permitting.
3. Vacations of 7 days or more will cause the vacationing engineer to be removed from the Order of Selection List and the resulting vacated position and rest days will be opened for bid. If the position is not bid, the junior demoted engineer will be force assigned under the provisions of applicable agreements. Upon return from vacation, the returning engineer will have full displacement rights to any assignment under the provisions of applicable agreements.
4. If an engineer is marked to an assignment for the following day and is subsequently awarded a new assignment, the engineer will be placed to the new assignment at that time when the new assignment is awarded and removed from the assignment scheduled for the following day.

5. If an engineer is marked to an assignment for the following day and is subsequently displaced prior to the on duty time of the assignment, the displaced engineer will have 24 hours from notification to exercise his bump.
6. This Agreement will become effective December 29, 2009 and will continue in effect thereafter subject to a ten (10) day cancellation notice served by either party upon the other.

If you concur with the above criteria, please signify your concurrence in the space provided below.

Sincerely,

I concur,

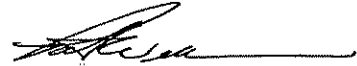


BLET General Chairman





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