

**BNSF**



Gene L. Shire  
*General Director - Labor Relations*

**Burlington Northern Santa Fe**

P.O. Box 961030  
Fort Worth, TX 76161-0030  
2600 Lou Menk Drive  
Garden Level  
Fort Worth, TX 76131  
Phone: 817-352-1076  
Fax: 817-352-7482

Mr. J.D. Mullen  
General Chairman BLE  
509 SW Wilshire  
Suite D  
Burleson, TX. 76028

April 8, 2002

Dear Mr. Mullen,

This is in response to our conversations regarding the filling of temporary vacancies pursuant to the so-called Tolk Coal Train Agreement. In particular, there seemed to be some misunderstanding as to proper procedure when filling Amarillo turns at Amarillo. We agreed that the following process shall govern:

1. When the Amarillo engineer lays off, the turn remains on the Board
2. When the turn becomes "first-out active," Amarillo pool engineers rested in Amarillo shall be polled in their relative pool rotation order. There shall be no payment account "used off of assignment" to engineers accepting service under this provision. Further, engineers have the right to decline this service.
3. If not filled under 2, it shall be filled from the Amarillo extra board.
4. If not filled under 3, it will be filled from the Amarillo yard extra board.
5. If not filled under 4, it will be filled by the senior rested engineer with a request on file to protect emergency work.
6. If not filled under 5, it will be filled by the junior rested and available engineer working as a fireman.
7. If not filled under 6, it will be filled by the junior rested and available engineer working in engine service.
8. If not filled under 7, it will be filled by the senior rested and available demoted engineer in ground service with a request on file to protect emergency work.
9. If not filled under 8, it will be filled by the junior rested and available demoted engineer in ground service

Finally, it was understood that nothing in this understanding gives BNSF the right to use the Amarillo source of supply to run so-called "cut-in" turns in this pool under any circumstances.