

***united transportation union***  
*Burlington Northern & Santa Fe Railway General Committee of Adjustment GO-245*



K.E. Trauernicht, 1st Vice Chairman  
J.A. Scott, 2nd Vice Chairman  
B.M. Drummond, 3rd Vice Chairman

8250 West 80th Avenue  
The Meadows Centre, Units 7&8  
Arvada, Colorado 80005  
Phone: (303) 420-1848  
March 5, 2007

B.R. Hipple, 4th Vice Chairman  
S.M. Waller, Secretary

**To: Local Chairmen, GO-245**

**Re: Short Turnaround Service (STAS) - Overtime After 8 Hours**

This is in reference to ongoing dispute regarding whether or not the "overtime after 8 hours" provisions of the settlement reached April 11, 2005, were applicable to all pools, to include those that exclusively perform STAS.

Attached is a settlement of this dispute establishing that all crews performing STAS in trip rated pools are to be allowed overtime after 8 hours (plus the applicable overtime extender), regardless of miles traversed. I am also attaching another copy of the earlier settlement for your reference.

Please feel free to contact this office if there are any questions.

Fraternally,

A handwritten signature in black ink, appearing to be 'R.S. Knutson', written over a horizontal line.

R.S. Knutson  
General Chairman

attachments



**R. L. Luther**  
General Director  
Labor Relations

**BNSF Railway Company**  
2600 Lou Menk Drive  
P. O. Box 961030  
Fort Worth, TX 76161-0030

March 1, 2007

Mr. R. S. Knutson  
General Chairman UTU  
8250 West 80<sup>th</sup> Avenue  
The Meadows Centre, Units 7 & 8  
Arvada, CO 80005

Dear Mr. Knutson,

This is in reference to our recent discussions regarding the application of the "overtime after 8 hours" provisions of our April 11, 2005 settlement of turn around service in trip rated pools. In this regard, we have reached the following understanding.

As all crews are paid to perform turn around service in a trip rated pool at the home or away from home terminal share a common trip rate regardless of the mileage that they actually traverse in turn around service, they will also be allowed "overtime after 8 hours" plus the applicable overtime extender, regardless of the mileage actually traversed in turn around service. This is to apply regardless of the nature of the turn around service performed or the equipment handled so long as the service includes one or more turnaround trips, or one or more turn around trips coupled with a deadhead to the home terminal. This will not apply to crews who make trips from the home terminal to the away from home terminal and return to the home terminal who qualify for a "flip trip" payment (formerly a combined service trip with one deadhead leg) unless those crews are already entitled to overtime after 8 hours.

This understanding will be applicable going forward and to all similar and analogous claims property process for overtime after 8 hours in turn around service. If you concur with the above criteria, please signify by signing in the space provided below.

Sincerely,

I Concur:

R. S. Knutson  
General Chairman UTU

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K.C. Wallace, 1st Vice Chairman  
B.M. Drummond, 2nd Vice Chairman  
V. Peters, 3rd Vice Chairman

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K.E. Trauernicht, 4th Vice Chairman  
T.P. Engler, Secretary

April 11, 2005

R.A. Boldra  
Director, BNSF RY Labor Relations  
P.O. Box 961030  
Fort Worth, TX 76161-0030

**Re: Trip Rates/Short Turnaround Service**

Dear Mr. Boldra,

This is in reference to our ongoing discussions concerning the implementation of trip rates. Specifically, the concerns expressed by the Organization regarding the Carrier's initial inclusion of monies earned during the 2001 test period in certain pools which included utilization of employees that were clearly not permissible and/or not in accordance with the working schedule for the involved pool. For example, the use of interdivisional/interseniorty pool crews in short turnaround service under the provisions of Rule 19(b) of the Rules and Rates of Pay for Conductors and Trainmen, respectively. We agreed that these monies would be withdrawn from the 2001 test period calculations (or the substitute test period/comparable pool that may have been used) and a new trip rate would be figured absent these monies. Accordingly, if non-permissible events, or events that are not in accordance with the working schedule of the involved pool, occur after trip rate implementation, the involved employees will be compensated as they were prior to the implementation of trip rates.

It was further understood that where permissible, employees subject to trip rates who are used to perform hours of service relief/shuttle service for one or more trains out of the away from home terminal and are then tied up at the away from home terminal or are then deadheaded home without being released for lodging will be allowed a single trip rate with overtime after 8 hours on duty, including time spent deadheading, regardless of miles operated. The overtime extender is still applicable in addition to the 8 hours on duty; this, without prejudice to either parties position on overtime extenders. An employee subject to trip rates who is used for hours of service relief/shuttle at the away from home terminal and then released for lodging will be allowed the trip rate and overtime payment referenced herein. Any subsequent service, work or deadhead, will be compensated on the basis of a new trip.

For pools where hours of service relief/shuttle service is permissible at the home terminal, employees subject to trip rates who are used to perform hours of service relief/shuttle service for one or more trains out of the home terminal who are then tied up at the home terminal will be allowed a single trip rate with overtime after 8 hours on duty regardless of miles operated. The overtime extender is still applicable in addition to the 8 hours on duty, without prejudice to either parties position on overtime extenders.

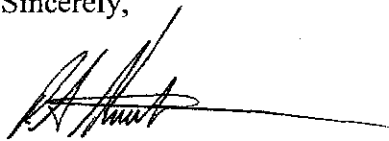
It was also agreed that when employees assigned to the extra board, or employees assigned to a pool where trip rates are not in effect, are called to perform short turnaround service, they may be required to perform such exclusively within the switching limits of their terminal when the previous crew has expired under the Hours of Service Law. In the performance of such service, the employee(s) are only permitted to complete the work of the road crew whose time expired under the Law. This contemplates that the relieving crew merely completes the work that would have normally been completed by the former road crew, and in no way permits them to perform work that would normally have been completed by the yard crews. A train that is entirely within switching limits will not be considered as having expired under the Hours of Service Law unless its crew is fully relieved within two hours of expiring under the Law.

In application of the above paragraph, employees required to relieve a crew within the switching limits of their initial terminal will not be considered to have "departed" the terminal for application of the 8 hour restriction found in Rule 19 of the respective CB&Q road schedules.

It was also understood during our conference that on the property represented by this Committee, all extra board employees and those employees assigned to pools where trip rates are not in effect who are used to make multiple departures in "dogcatch service", "Hours of Service Relief", or to shuttle multiple trains into and out of their initial terminal will be compensated under the provisions of Rule 19(b) of the respective CB&Q ground service schedules. Other than described in the paragraphs above, Rule 19(b) will continue to be applied to all extra board employees and to pool employees where trip rates are not in effect who are used to make multiple departures for the purposes described in this paragraph.

If this reflects your understanding of our discussions, please indicate so by signing below.

Sincerely,



R.S. Knutson  
General Chairman

I Concur,



R.A. Boldra  
Director, BNSF Labor Relations

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April 11, 2005

R.L. Luther  
General Director, BNSF RY Labor Relations  
P.O. Box 961030  
Fort Worth, TX 76161-0030

**Re: April 11, 2005 Trip Rate/Short Turnaround Understanding Addendum**

Dear Mr. Luther,

During our discussions of the short turnaround service/trip rate understanding signed April 11, 2005, it was noted that there may be locations where pools that formerly performed short turnaround service may wish to relinquish such to the extra board.

It was therefore agreed that should a location wish to reassign turnaround service from the pool to the appropriate extra board, the Organization will provide the Carrier with written notification of their intent a minimum of ten (10) days prior to the effective date of change.

It was further agreed the short turnaround service/trip rate understanding is only intended to address terminal release scenarios as described therein. Compensation as provided for in Rule 36 of the Rules and Rates of Pay for Conductors and Trainmen, respectively, will continue to have application.

If this reflects your understanding of our discussions, please indicate by signing below.

Sincerely,

R.S. Knutson  
General Chairman

I Agree,

R.L. Luther  
General Director, BNSF Labor Relations