

united transportation union

Burlington Northern & Santa Fe Railway General Committee of Adjustment GO-245



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

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

K.E. Trauernicht, 4th Vice Chairman
S.M. Waller, Secretary

February 14, 2007

To: Local Chairpersons, GO-245

Re: New Hire Displacement

There has been a longstanding dispute between this office and the Carrier regarding whether or not employees who have completed the Conductor Training Program are afforded a displacement privilege. The Carrier embraces the position that since they have never incurred a "displacement", our rules governing such do not apply. In fact, we have experienced a couple of instances where the Carrier simply assigned these new hires to a distant terminal.

In an effort to resolve this dispute, the Carrier has agreed to the attached. This understanding provides that upon completion of the program, an employee would be allowed full displacement rights within the terminal trained, and would have 48 hours in which to exercise this right. Should the employee not be able to hold a position in active service at his/her assigned terminal, they may either elect to accept furlough status at the location or exercise a displacement to another location within 48 hours.

This Understanding only applies to employees making their initial entrance to active service following completion of the program. Once in service, all subsequent displacements/furloughs will be governed by our existing rules.

Please feel free to contact us if you have any questions regarding this matter.

Fraternally,

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

R.S. Knutson
General Chairman

attachment



R. L. Luther
General Director
Labor Relations

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

January 3, 2007

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

Dear Mr. Knutson,

This is in reference to our discussions regarding what, if any, displacement privilege is afforded a new employee who has just completed the conductor/foreman/hostler training program.

An informal poll of terminals under the jurisdiction of your General Committee failed to reveal a consistent practice that conforms to existing schedule rules and agreements. Furthermore, with the introduction of permanent and temporary transferred employees, scenarios exist whereby junior employees could be assigned and/or working at the same location the new employee has trained and is marking to active service.

In an effort to establish a protocol for such placement, it is therefore agreed that upon completion of the formal conductor/foreman/hostler training program, an employee will initially be afforded displacement rights. Such rights will be limited to the subdistrict in which trained, but will be applicable to both assigned and unassigned service.

Should an employee be unable to hold a position in active service within the subdistrict in which he/she was trained, they will be subject to existing schedule rules and agreements governing furloughed employees with the following exception; new employees choosing not to accept furlough status must exercise their displacement privilege within 48 hours following their release from the formal training program.

The provisions of this understanding are limited to an employee who is marking to active service for the first time following completion of the formal training program. Once an employee has marked to active service, subsequent displacements and furloughs will be governed by existing rules and agreements.

If this accurately reflects our understanding of this matter, please affix your signature in the space provided.

Sincerely,

R.L. Luther

Accepted:

R.S. Knutson
General Chairman UTU