

***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  
April 2, 2007

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

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

**Re: Eligible Bidder Clarification**

Recently, this office was required to intervene regarding the decision of whether or not employees on approved absences were eligible to bid and be awarded an assignment.

Perusal of our files indicates that employees on select absences have historically not been awarded assignments. This would make sense since our existing agreements allow an employee a displacement right to any assignment that was "opened and closed" while they were off.

To provide clarification to both our members and the crew office, the attached understanding was agreed to with Labor Relations. Essentially, if an employee is eligible for a displacement right to an assignment once they return from their absence, they are ineligible to be awarded that assignment while they are absent.

To qualify for the above displacement right, an assignment must have been bulletined and awarded entirely during the time period the employee was off on the approved absence. This right was originally afforded conductors and trainmen in letters contained in the respective schedule. It was later modified by letter dated March 13, 1981 that I am including for your reference.

If you have any questions regarding this documents, please feel free to contact us.

Fraternally,

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 30, 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 whether or not employees are eligible to bid and be awarded assignments while on approved leaves of absence (vacation, personal leave days, etc.).

It has come to our attention that employees on approved absences are being allowed to bid and be awarded assignments although they are not otherwise available to protect same. This is creating unnecessary vacancies and denying work opportunities to employees in service.

As we discussed, on the former CB&Q property, employees on approved absences have displacement rights to assignments that were bulletined and expired during their absence. This is pursuant to letters appearing on page 215 of the Rules and Rates of Pay for Trainmen, and page 116 of the Rules and Rates of Pay for Conductors, and as modified by letter of understanding dated March 13, 1981.

With this in mind, it is therefore agreed that any employee who is eligible to exercise displacement rights to an assignment under the above provisions is ineligible to bid and be awarded that assignment while they are on the approved absence.

If this accurately reflects our understanding on this matter, please signify by signing in the space provided below

Sincerely,

Accepted:

R. S. Knutson  
General Chairman UTU



**BURLINGTON NORTHERN**



176 East Fifth Street  
St. Paul, Minnesota 55101

Mr. G. D. Hitz, Gen. Chrmm.  
United Transportation Union  
10200 W. 44th Avenue  
Wheat Ridge, Colorado 80033

March 13, 1981

File CT-12

Dear Mr. Hitz:

Referring to your letter of February 20, 1980, requesting that personal leave days be included in the understanding, applicable to Rule 79, appearing on page 215 of the Trainmen's Schedule, former CB&Q.

I have no objection to your request and will so advise Carrier officers. The third paragraph of the understanding will then read:

"A trainman on personal leave or layoff for vacation purposes, leave of absence, account illness or injury, or when restored to service following dismissal, will be permitted to displace a junior trainman from an assignment secured by bulletin that was posted and expired during the absence of the first-named trainman under the conditions set forth, and he must place on the assignment in question before performing other service when he returns from personal leave days, vacation or layoff."

Yours truly,

*A. E. Egbers*

A. E. Egbers  
Vice President

cf522