



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

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

August 2, 2006

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

Dear Mr. Knutson:

This refers to our discussions regarding the proper payment due employees assigned to a Conductor Extra Board that are called to protect service as a brakeman.

Due to the considerable number of unresolved merit disputes between the parties at the time, a Vice President Claims Docket was established in 2003 with the assistance of UTU Vice President R.L. Marceau. During our conferences, we thoroughly reviewed both the manner in which employees were submitting for compensation when assigned as an extra board conductor but utilized as a brakeman, and the historic practice in which such occurrences have been monetarily handled. To resolve all outstanding claims, it was agreed to allow such employee to be compensated for the service worked at the conductor's rate of pay.

Unfortunately, the amount of inquiries regarding this matter that are still being received by your office and ours indicates that some confusion still exists.

It was therefore agreed that in final resolution of this matter, employees assigned to the Conductors Extra Board who are utilized for service in other than the craft of conductor will be allowed no less than conductor's rate of pay for the service performed. If the rate of pay for the service performed is greater than the conductor's rate of pay, the higher rate of pay will be allowed. For the purpose of this understanding, the reference to "Conductors Extra Board" is applicable to any extra board that serves as the primary source of supply for filling conductor vacancies on the subdistrict.

If you concur with the above criteria, please signify your concurrence in the space provided below and return one (1) copy to me for my further handling.

Sincerely,

Accepted:

R. S. Knutson  
General Chairman UTU