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November 13, 2012

Mr. Steve F. Green
UTU General Chairman
1603 N. State Highway CC
Nixa, MO 65714

Re: RSIA Smart Rest and FRA changes to "Calendar Day"

Dear Mr. Green:

The RSIA Agreement included a provision referred to as "Smart Rest" which is a tool developed so that employees could better manage their own rest. This is a follow-up to our conversation regarding "Smart Rest" and FRA's recent change in definition of "calendar day."

In 2012, the Federal Railroad Administration changed the definition of "calendar day." As "Smart Rest" was developed to break the number of consecutive starts an employee had accrued, the application of "Smart Rest" needs to be adjusted to conform to FRA's changes in the definition of "calendar day."

The change in the definition of "calendar day" is expected to be implemented on or about December 1, 2012. When that change is implemented, paragraph five of our RSIA Agreement will be interpreted to read:

5. In unassigned pool freight service, including extra boards, upon request of a representative of UTU, a process shall be implemented that will allow employees at the home terminal who have had four or five consecutive starts to extend their rest time to a total of 24 hours after tie-up in order to avoid being placed on duty for a fifth or sixth consecutive calendar day ("Smart Rest").

If this correctly reflects our interpretation, please signify below.

Sincerely,

I concur: