

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
BNSF RAILWAY COMPANY  
AND  
UNITED TRANSPORTATION UNION (GO-245)  
AND  
BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN**

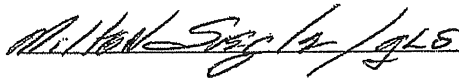
The intent of this Memorandum of Understanding (MOU) is to codify ebb and flow procedures between the ground and engine service crafts in conjunction with the application of Article XIII of the UTU 1985 National Agreement and the implementation of BLET Primary Recall Agreement and BLET 2007 On-Property Agreement. In order to resolve any conflicts between these agreements, it is therefore understood:

1. The parties agree that entrance and/or promotion into the engine service quota is under the sole jurisdiction of the BLET. UTU acknowledges BLET's jurisdiction over promotion into the engine service quota and agrees to withdraw their existing grievance with BNSF Railway Company (BNSF) concerning the promotion of junior demoted engineers into the engine service quota ahead of senior demoted engineers as contemplated in the current application of Memorandum of Agreement between BLET and BNSF Railway Company, effective March 15, 2005 (commonly referred to as the BLET Primary Recall Agreement).
2. The parties further agree that the entrance into and eligibility for the fireman and ground service crafts is under the sole jurisdiction of the UTU. BLET acknowledges UTU's jurisdiction over entrance to these crafts and agrees to withdraw their existing grievance with BNSF Railway Company (BNSF) concerning demotion and entrance to the fireman and ground service crafts as contemplated in the current application of UTU/BNSF Letter of Understanding dated September 3, 1991.


It is further understood that this MOU is limited in scope to the former CB&Q property and is without prejudice to either party's positions and will not be referred to for any reason, in any forum, excepting in the adjudication of disputes emanating here from.

This understanding is signed on 29 day of OCTOBER, 2009 at Fort Worth, TX to be effective on OCTOBER 29, 2009.



For BNSF Railway Company:

  
Michael S. GLE

For The Brotherhood of Locomotive Engineers  
And Trainmen:

  
General Chairman

For The United Transportation Union:

  
General Chairman  
  
Vice President UPU