

MEMORANDUM OF AGREEMENT
Between
BURLINGTON NORTHERN INC.
And
'UNITED TRANSPORTATION UNION

Pending the conclusion of negotiations for a single firemen's schedule agreement to apply throughout Burlington Northern Inc., and in view of the separate hostler seniority established by BN Labor Agreement 4/27/79 A the following provisions are hereby agreed to in order to effectuate a uniform hostler rule:

1. Eight hours or less will constitute a day's work.
2. Hostling - Description.

(a) Hostling of an engine is primarily the preparation and supplying of such an engine, either for entrance upon its trip or shift at the initial terminal, or for its storage or maintenance during the time it is tied up at the final terminal. At the initial terminal, such preparatory work may include, for example, bringing the engine out of the house, placing upon it fuel, water and/or sand, and its placement upon the designated track for delivery to the outgoing crew. At the final terminal, work preparatory to tie-up may include movement of the engine from the designated track to the house on designated track, or supplying it with fuel or water.

(b) Inside hostling includes the movement of engines in and around diesel houses and shops when such movement does not foul the main track. Switching cars of Company material within these confined areas, including placement of such cars for loading and unloading may be performed by hostlers. Outside hostling is the handling of engines between passenger stations and diesel houses or yards on main line tracks.

NOTE: The rate for outside hostling service applies to all hostlers and outside hostler helpers.

(c) Hostlers and hostler helpers may be required to perform other work in connection with servicing and supplying engines to fill in their day's work.

(d) Road freight crews may be required to handle engines to and from train to ready track and engine house including all units coupled to the operating units, as part of the road trip, paid for as such without additional compensation and without penalty payments to yard crews, hostlers, etc.

(e) Engine crews in yard service may exchange locomotives providing switching is performed with both locomotives and this will not constitute hostling. Yard engine crews may be required, as a part of their yard service, to tow locomotives to and from roundhouse or other confined areas where servicing is performed.

3. Hostler Starting Time

Regular hostlers shall have a fixed time for beginning work each day. Such time may vary for each terminal but must be fixed for and posted at each terminal. Should conditions of work to be performed necessitate a change in such hours, the usual notice shall be given. When a hostling assignment's starting time is changed two hours or more, the assignment will be re-bulletined.

4. Hostler Lunch Period

Hostlers will be allowed twenty minutes for lunch between four and one-half and six hours after starting work without reduction in pay. Hostlers will not be required to work longer than six hours without being allowed twenty minutes for lunch. The lunch period must be given and completed within four and one half and six hours after starting work.

5. Hostler Overtime

Except when changing off, where it is the practice to work alternately days and nights for certain periods, working two shifts to change off; or where exercising seniority rights from one assignment to another or when extra men are required by schedule rules to be used, all the time worked in excess of eight hours' continuous service in a twenty-four hour period shall be paid for as overtime, on the minute basis, at one and one-half times the hourly rate.

6. Increasing or Decreasing Hostling Service

(a) A joint check for seven consecutive days will be made on request of the local chairman of the UTU and/or Carrier to ascertain if hostling service should be established, increased or decreased; this not to prohibit the establishment of hostler positions or increasing the number of such positions where, in the opinion of Management, such action is necessary. If the joint check shows that employes other than hostlers are performing hostling service for an average of twenty-five per cent or more of an eight-hour period for seven consecutive days, a hostler shall be assigned. Conversely, if such check shows hostlers are performing hostling service for an average of less than twenty-five per cent of an eight-hour period

for seven consecutive days, a hostler position may be reduced. Check will be conducted within five days after receipt of request for such a check unless extended by mutual agreement.

(b) For the purpose of applying paragraph (a) of this section, in determining the percentage of time an employe is engaged in hostling service, time will be computed continuously from the time they take charge of an engine at the point where it is left by engine crew until the inbound movement has been completed. Similarly, in the computing of this time where an outbound locomotive is involved, time shall be computed continuously from the time employes take charge of an engine at the point where outbound movement begins until it reaches the point where it is left for the outbound engine crew. Except in connection with the movements hereinabove described, watching locomotives is not "hostling service" within the meaning of this section.

7. Existing agreement provisions applicable to firemen (helpers) shall continue to apply to hostlers and outside hostler helpers except to the extent that they conflict with the provisions of this agreement or Labor Agreement BN 4/27/79 A dealing with hostler seniority.

This agreement will become effective on the first day of MAY, 1979 and will remain in effect until superseded by the new UTU-E-BN Schedule.

Signed at St. Paul, Minnesota, this 27th day of April, 1979.

For:
UNITED TRANSPORTATION UNION

G.M. Strommen
General Chairman

M. A. Duke
General Chairman

D.E. Doyle
Associate Chairman

APPROVED:

A.A. Bryant
Assistant President

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For:
BURLINGTON NORTHERN INC.

C.E. Effen
Vice President-Labor Relations