

MEMORANDUM OF AGREEMENT
Between The
BNSF RAILWAY COMPANY
And The
SMART-Transportation Division

Pursuant to the findings of Public Law Board No. 7293, Award No. 49, the Parties agree that the double-ended interdivisional pool operating between Springfield, MO and St. Louis, MO will henceforth be governed by the following "pure pull" equity arrangement, permanently replacing the original "slotted" equity arrangement contained in the original "Four Territories" ID Agreement. The other ID runs governed by the Four-Territories ID Agreement are unaffected by this change.

- 1) At each terminal, a crew board having a "primary" and "secondary" list will be maintained in the manner described below:
 - A. The "primary" list at each terminal will be the list from which pool crews will be called, in turn, to work or deadhead to the other terminal (except as provided in Section 1.J and 1.K. below).
 - B. The "secondary" list will be a list of pool crews who are at their home terminal and have not been advanced to the primary list pursuant to the provisions of Section 1.F.
 - C. Each pool crew arriving at their home terminal will be placed at the bottom of the "secondary" list except when entitled to restoration of turn.
 - D. Each pool crew arriving at their "away-from-home" terminal will be placed at the bottom of the "primary" list except when entitled to restoration of turn.
 - E. Each "primary" list will have a "quota" which will be established in the following manner: Initially the designated BNSF Officer and the Local Chairmen (or their designees) will coordinate to specify the number of crews which should normally be on the primary list.

NOTE: This quota will include only the number of crews that should be on the primary list at any given time and shall not include crews on line-of-road or crews at the away-from-home terminal.

- F. Once the “primary” count for a specific home terminal is below the designated “quota”, a home terminal pool crew on the secondary list will be moved to the bottom of the primary list.

EXAMPLE #1:

At Terminal "A", there are twenty pool crews assigned. The number of pool crews designated for the “primary” list (the quota) is five and there are five pool crews with Home Terminal “A” on the primary list.

Once a home-terminal crew is called on duty, the first out pool crew on the “secondary” list would be immediately moved to the bottom of the "primary" list since, if this were not done, there would be only four home terminal pool crews in "primary" status which would not fulfill the quota.

EXAMPLE #2

The same scenario as Example #1 except the quota has been reduced from five to four. In this case, in order to achieve the new quota of four, a home terminal crew is not moved from the secondary list to the primary list when a home-terminal crew is called.

EXAMPLE #3

The same scenario as Example #1 except the quota has been increased from five to six. In this case, in order to achieve the new quota of 6, a home-terminal crew is immediately moved from the secondary list to the primary list without waiting for a home-terminal crew to be called.

- G. Except as otherwise provided in this Agreement, ID pool crews will be called first-in/first-out, from the primary list maintained at each terminal, provided that the first-out crew has had full rest under the Hours of Service Act. If possible, and when no other trains would be delayed thereby, the first-out crew’s call may be held up for as long as thirty minutes so that they may obtain full rest and depart in proper standing. If the first-out pool crew does not have full rest, the next following pool crew that is fully rested will be used. If there are no rested pool crews available on the primary list, then the first-out rested pool crew on the secondary list will be called. Should there be no pool crews on either the primary or secondary lists who are fully rested, then a “bum” pool crew made up of extra board trainmen may be called at the home terminal to operate for one round trip under the provisions of this Agreement.
- H. The designated BNSF Officer and Local Chairmen (or their designees) will review the starts attributable to each terminal at least once each week and make arrangements for equalization.


NOTE: It is understood that these reviews and adjustments may, by necessity, need to occur more often than once per week

- I. The maximum number of pool crews (i.e., "quota") that will be on the primary lists at both Terminals will be initially determined and later changed (from time to time as service requirements and crew availability changes) by the Superintendent or designated BNSF officer, after conferring with the designated SMART-TD Local Chairpersons (or their designees), with immediate notification being given to the involved SMART-TD Local Chairmen. This quota may be different at each terminal.
- J. Pool crews may be called to deadhead "out of turn" from the away-from-home terminal, at any time after arrival, regardless of their standing in relation to home terminal pool crews and the normal pool rotation, except that pool crews must be called first-in/first-out in relation to other ID pool crews with the same home terminal.
- K. Pool crews may be called to deadhead out of the home terminal "out of turn", regardless of their standing in relation to away-from-home terminal pool crews and the normal pool rotation, except that pool crews must be called first-in/first-out in relation to other ID pool crews with the same home terminal.

In recognition that current programming is not optimized to support this ID start arrangement, the parties commit to jointly work to improve this system, including, but not limited to, more optimal programming.

This Pure Pull equity management arrangement, along with the ability to deadhead home terminal and away-from-home terminal crews out of turn, provides BNSF a level of flexibility that the original slotted rotation did not. The ability to fine tune the frequency of home and away-from-home starts by adjusting the quota is a tool that was also not available under the old method and a higher level of predictability of work schedule is expected. It is also expected that properly adjusted quotas should result in the use of crews from the secondary board being the exception (emergency) rather than the rule. Should this, or any other problem arise, the parties agree to promptly meet to resolve those problems.

For SMART-Transportation Division:



R. S. Knutson, General Chairman

For BNSF Railway:



Roger Boldra, General Director

Agreed-to Questions and Answers to the “Pure Pull” ID Start Arrangement

- Q 1: How will crews arriving at a terminal be marked to the board?
- A1: All inbound crews will be marked based on their “tie-up time” at the terminal. Home terminal crews will be marked to the bottom of the Secondary Board while away-from-home crews will be marked to the bottom of the Primary Board. It should be noted that the auto-restoration programming will subsequently resort crews from the same terminal on the basis of their last on-duty time (if the tie up time order is different from the call order). Restoration of home terminal crews will only take place if both crews that are a part of the restoration are on the secondary board. If the crew tying up first is on the primary board, the restoration will not take place.
- Q2: When will home terminal crews be pulled from the Secondary Board to the Primary Board?
- A2: As soon as a home terminal crew is called on duty (phone time), and that call causes a quota deficit (the number of home terminal crews on the Primary Board is less than the quota), programming will pull the next home terminal crew from the Secondary Board to the Primary Board.
- Q3: What happens when there is a quota deficit and there are no home terminal crews on the Secondary Board?
- A3: A 99** home terminal slot will be established on the primary board. Upon tie-up of a home terminal crew the 99** slot will be replaced by the tying-up home terminal crew.
- Q4: What happens if the first out crew on the Primary Board is not rested for a call?
- A4: We will call the next available rested crew on the Primary Board regardless of the employee’s home terminal.
- Q5: If a reduction is made to the pool and the turn being reduced is on the primary board, what will happen to the reduced turn / employee?
- A5: The reduced job number will be changed to a 99** turn and the employee will be outbound from the home terminal and cut on inbound at the home terminal.
- Q6: If an employee is displaced while on the primary board, will they be allowed to make their final trip?
- A6: The displaced employee will be left on the primary board on a 99** turn and will be outbound from the home terminal and placed to the bump board on inbound at the home terminal. The displacing employee (and the pool turn) will be positioned on the bottom of the Secondary Board.

Agreed-to Questions and Answers to the “Pure Pull” ID Start Arrangement Specific to Fort Scott Attrition

Q1-FS: Are the engineer and conductor turns *married* on the Ft Scott side of the double ended pool for purposes of calling crew members together.

A1-FS: No, even though there will be an attempt to keep the same number of pool turns (engineer / conductor) it is not necessary to call both home terminal crew members at the same time or for the same assignment.