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MEMORANDUM OF AGREEMENT  
Between  
BURLINGTON NORTHERN INC.  
And  
UNITED TRANSPORTATION UNION (C) (T)

Yardmen and trainmen shall, at intervals to be determined by management, be required to pass re-examination on the Consolidated Code of Operating Rules and Safety Rules in the form and manner as prescribed by management.

Failure to pass scheduled examination will require the employe to present himself a second time within 30 days of such failure for re-examination.

If second failure occurs, the employe will be required to take the examination within 30 days of such second failure. At such third examination he may be accompanied by his Local Chairman, who will be permitted to review the examination results should the employe fail to pass on the third examination.

If third failure occurs, the employe will not be permitted to resume active service until such time as he has passed the required examinations. Subsequent re-examinations, under such circumstances, will be arranged at the employe's request within reasonable limits, but not to exceed ten days beyond the date requested by the employe.

It is understood withholding the employe from service account failure to pass the required examinations the third time does not require formal investigation unless such is requested by the employe.

Failure to appear for re-examination as required will be considered the same as failure to pass the examination, unless evidence can be produced by the employe that such failure was due to illness, emergency, or conditions beyond his control.

Signed at St. Paul, Minnesota, this 18<sup>th</sup> day of April, 1974.

For BURLINGTON NORTHERN INC:

For UNITED TRANSPORTATION UNION:

T. C. DeButts  
T. C. DeButts, Vice President

G. R. Field  
G. R. Field, Chairman

G. C. McCoy  
G. C. McCoy, Chairman