

united transportation union

GENERAL CHAIRMAN STEVEN F. GREEN



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GENERAL COMMITTEE OF ADJUSTMENT GO-001
BNSF RAILWAY COMPANY
CLOQUET TERMINAL RAILROAD
RED RIVER VALLEY & WESTERN RAILROAD
SAND SPRINGS RAILWAY

November 18, 2011

Mr. M. H. Siegele, Jr.
Assistant Vice President Labor Relations
BNSF Railway Company
PO Box 961030
Fort Worth TX 76161-0030

Re: Public Law Board No. 6854 Case No. 9

Dear Mr. Siegele:

This is in reference to our ongoing discussions with Labor Relations' Staff regarding the above captioned Public Law Board case. In researching the involved dispute, several First Division and Public Law Board Awards were found which consistently held to the principle that when a road crew is used to relieve a DOL (dead on law) train inside of general switching limits (but short of its final yard track), the relieving crew was not performing yard work per se, but was simply completing the work of the expired road crew. Based on that principle, we agreed to the following:

It is understood that when pool or extra crews called in short turn around service relieve a DOL train that is entirely within switching limits, they are permitted to complete the work of the DOL road crew. This contemplates that the relieving crew merely completes the work that would have normally been completed by the relieved road crew under existing road/yard rules and in no way permits work that would normally have been performed by yard crews. A train that is entirely within switching limits will not be considered as having expired under the Hours of Service Law unless its crew is fully relieved within two hours of expiring under the hours of service.

It is also understood in the application of the paragraph above that crews placed on DOL trains within the switching limits of their initial terminal and used as so described will not be considered to have "departed" the terminal for application of the 8-hour restriction found in the various Short Turn Around Service Rules.

We also agreed that when pool or extra crews in short turn around service that is not subject to trip rates are used to perform multiple departures in hours of service relief or to shuttle multiple trains into and out of their initial terminal, they will be paid under the Short Turn Around Service Rules in accordance with the SLSF working schedule.

Mr. M. H. Siegele, Jr.

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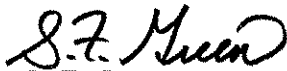
Pursuant to this understanding, the Organization will withdraw the instant claim from further handling and ask Referee Quinn for a dismissal award.

In addition, the claim files on the attached listing, which were being held in abeyance for a decision in Case 9, are also withdrawn from further handling.

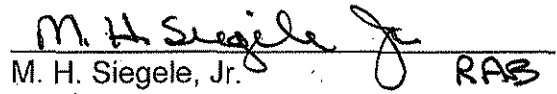
If the above correctly recites our understanding please sign below and return a copy for our records.

Sincerely,

Agreed:



S. F. Green
General Chairman



M. H. Siegele, Jr. RAB
Assistant Vice President Labor Relations

SFG/cs