

MEMORANDUM OF AGREEMENT

Article 1, Section 3 A. of IMPLEMENTING AGREEMENT No. 5 between Burlington Northern Railroad/Atchison, Topeka & Santa Fe Railway Co. and United Transportation Union (Ft. Worth Terminal Consolidation) reads, in part, as follows:

"If seniority of former BN or former Santa Fe employees is consolidated prior to March 1, 1997, employees who establish seniority on or before September 22, 1995 on either roster(s) (BN or SF) will be placed on the opposite roster with a seniority date of September 22, 1995 and such employees will be ranked in accordance with their standing on the former home road (BN or SF consolidated roster."

Now, therefore, IT IS AGREED:

1. Employees on the former Joint Texas Division (JTD) seniority roster with seniority dates on or before September 22, 1995 will be placed on the bottom of the Midwest Seniority district, with a seniority date of September 22, 1995, in the same order of their current standing on the JTD seniority roster.
2. Effective September 22, 1995, the territory previously identified as the Joint Texas Division seniority district will be included in and become part of the Midwest seniority district, and will be identified as an additional new Zone within the Midwest seniority district, in the same manner as those other former prior rights seniority districts which currently constitute the Midwest seniority district.
3. Employees of the former JTD district with seniority dates prior to September 22, 1995 will retain prior rights to assignments working on that JTD Zone. They may exercise their acquired seniority date on the Midwest seniority district to secure positions throughout the Midwest seniority district, but may not be force assigned to any position outside of the JTD Zone.
4. Employees on the Midwest seniority district may utilize their Midwest seniority district date to secure assignments on the new JTD Zone, subject to the prior rights of former JTD employees as specified herein above.

5. Collective Bargaining Agreements applicable to the former JTD territory will continue to govern assignments on this new JTD Zone of the Midwest seniority district.

Signed and effective this 2ND day of August, 1996.

For: UNITED TRANSPORTATION
UNION


For: BURLINGTON NORTHERN RAILROAD
ATCHISON, TOPEKA & SANTA FE RY.



General Chairman



Assistant Vice President



General Chairman