

**MEMORANDUM OF AGREEMENT
BETWEEN
BURLINGTON NORTHERN INC.
AND
BROTHERHOOD OF LOCOMOTIVE ENGINEERS**

Under the provisions of Brotherhood of Locomotive Engineers schedule and Paragraph 3 (c) and (d) of Implementing Agreement No. 2 between Burlington Northern Inc. and Brotherhood of Locomotive Engineers, a Consolidated Engineer's Extra Board will be established at Lincoln, Nebraska on April 1, 1977 and the provisions outlined below will govern in the handling of the Consolidated Engineer's Extra Board and Pools of former Lincoln, Omaha and Wymore Zones.

The Lincoln pool will protect all unassigned service operating out of Lincoln, Nebraska to Hastings, Ravenna Nebraska and Grand Island UP interchange trains, except wrecker service. Extra engineers will protect all other unassigned service and temporary vacancies to include wrecker service regardless of destination. (See Memorandum of Agreement between Burlington Northern Inc. and Brotherhood of Locomotive Engineers that became effective July 19, 1976 and letter of November 20, 1976 concerning change to Paragraph 1C of the agreement. Copies of both attached.)

The Wymore pool will protect all unassigned service operating out of Lincoln, Nebraska to St. Joseph, Missouri only. Extra engineers will protect all other unassigned service and vacancies.

The Omaha pool will protect all unassigned service operating out of Lincoln, Nebraska also, all unassigned service operating on the former Omaha zone of the Nebraska Division including dogcatching, work trains, wrecker service and short turnarounds. The extra engineers will protect all vacancies in the pool or assigned service and pilot service.

Assignment and regulation for the Consolidated Extra Board at Lincoln will be on the basis of seniority. For the purpose of determining seniority for an engineer on the Consolidated Extra Board, an engineer fireman's date, as shown on his prior rights roster, will be used.

i.e. A man with an original hire date as a fireman of July 1, 1952 either failed or was passed over for examination to engineer and was subsequently placed on his prior rights seniority roster with a fireman's seniority date of January 18, 1959 will use the later date for determining his seniority on the extra board.

The Consolidated Engineer's Extra Board will become effective at 12:01 AM April 1, 1977

The former engineer's extra boards at Lincoln will be abolished at 11:59 PM March 31, 1977

Extra engineers will work on a rotary basis, first in, first out. Extra engineers will not be considered eligible for a call unless they are fully rested under the Federal Hours of Service Law at the time a job is to go on duty out of and at their home terminal.

Arrival times will be used in determining placement on the Engineer's Consolidated Extra Board. Extra engineers working or deadheading on trains into Lincoln will use the following locations for the purpose of arrival time for placement on the Consolidated Extra Board.

- (a) Trains arriving off the former Omaha Division will use the arrival time at 10th Street in Lincoln.
- (b) Trains arriving off the 8th and 9th Subdivisions will use the arrival time at F Street in Lincoln.
- (c) Trains arriving of the 4th and 7th Subdivisions will use the arrival time at Cushman.
- (d) Trains arriving off the 17th Subdivision will use the arrival time at the switch from Union Pacific trackage to Burlington Northern trackage at Lincoln.
- (e) Extra Engineers working or deadheading on Amtrak trains will use the arrival time at the Passenger Depot at Lincoln.

Extra board engineers relieved at outside points who deadhead into Lincoln by personal auto, contracted transportation or company auto, must use at least, the amount of time specified below from the deadhead from the outside point to Lincoln:

Fremont – Lincoln:One hours
Crete or Ashland – Lincoln:.....Thirty Minutes
Fairmont, Nebraska City or Wymore – Lincoln:.....One hour and Thirty Minutes
Hastings or Aurora – Lincoln:Two Hours
Sioux City – Lincoln:Three Hours

If tied up at a point other than those listed above, time will be computed by rail miles at 50 mph.

In no case, can man deadheading into Lincoln from an outside switch engine or road switcher assignment, be placed on the Consolidated Extra Board until after expiration of eight hours from on-duty time at the outlying point plus the applicable deadhead time.

i.e. An extra engineer who goes to work at Crete, Nebraska on No. 21463 at 8:00 AM and goes off duty at 2:00PM and is released from the outside point cannot be placed on the Consolidated Extra Board before 4:30PM.

Extra engineers deadheading into Lincoln on trains being operated by an extra engineer will go on the Consolidated Extra Board ahead of the extra board engineer operating the train. Should an extra board engineer be picked up enroute on a train on which an extra board engineer is already deadheading and another extra board engineer is operating, the man deadheading or being towed in from the closest point to Lincoln will be placed on the extra board first.

i.e. An extra board engineer who has been supplementing the Hastings engineer's extra board, deadheads from Hastings to Lincoln on Train No. 64 which is be operated by

another extra board engineer. Train No. 64 stops at Crete, Nebraska to pick up another extra board engineer who is deadheading back to Lincoln. The proper placement on the Consolidated Extra Board would be first, the extra engineer deadheading in from Crete and second, the extra engineer deadheading in from Hastings and third, the extra engineer operating the train.

Should it be necessary to use emergency engineers account the Consolidated Extra Board being exhausted, the senior demoted prior rights engineer on the former seniority district which the vacancy exists will be called to fill and work the vacancy. If this man is not available then the next senior demoted engineer with prior rights will be called. All prior rights demoted engineers on the former zone must be called before going to the consolidated roster. Should there be no prior rights demoted engineers available on the former seniority district on which the vacancy exists, the senior demoted engineer available and determined from the consolidated roster will be called to work the vacancy.

All extra board engineers will be given a two-hour call or as near to a two-hour call as possible. Should an engineer receive less than a two-hour call, it is still his responsibility to report to work as near as possible to the designated time.

Extra engineers will be called in the order in which they go on duty. When two or more engineers are called for different assignments simultaneously with the same on-duty time, the first out extra engineer will be given his choice of assignments. If the first out extra man is not available at a time one hour and fifteen minutes before the on-duty time, he will be shown as missing the call and the second out man will be given his choice and the third out man will take whichever assignment the second out man did not want.

In all cases where an extra engineer is needed to deadhead to an objective terminal and another extra engineer is needed to work a train to the same objective terminal, the first out engineer will operate the train to the objective terminal and the second out engineer will deadhead to the intermediate point.

When an extra engineer is granted permission to lay off, except when laying off on call, he will not be permitted to resume or be called until after the expiration of a twenty-four (24) hour period from the time granted permission to lay off.

If an extra board engineer lays off within two hours of a call, he will be considered as laying off on the call

An extra board engineer who misses a call or lays off on a call will be marked on the layoff list until after the turn or run for which he stood has returned to Lincoln or twenty-four (24) hours, whichever is greater. If the run which the individual missed is a pool turn, the provision of Rule 330 will apply.

Only the first-out extra board engineer will be penalized for missing a call.

An extra board engineer who misses a call or lays off on a call for a job at an outside point will be marked on the layoff list for one day actual work or the one round trip on the assignment at the outside point and will, when resuming service, go to the outside point and relieve the extra board engineer who caught the deadhead and assignment at the outside point, The extra board engineer who missed the call to deadhead to an outside point, must notify the crew caller within four (4) hours after the actual on-duty time of the day prior to the day he intends to protect the assignment.

Extra engineers on temporary vacancies with home terminals in one zone, working into another zone will be permitted to remain on said vacancy until the turn returns to its' home terminal.

Example: Extra engineer working out of Sioux City on No. 94 (Home Terminal of Sioux City) will stay with assignment and return out of Lincoln on No. 93 to Home Terminal (Sioux City)

Extra Engineer used in cases of emergency on turns with Home Terminal in another zone will be deadheaded back to their Home Terminal after reaching the Home Terminal in the other zone. If the vacancy still exists on the assignment or turn when it reaches its' Home Terminal, the vacancy will be filled from the appropriate extra board which protects vacancies in that zone.

Example: A regular assigned engineer on No. 93-94 operating between Sioux City and Lincoln with Home Terminal of Sioux City lays off at Lincoln account illness. An extra engineer off the Lincoln Consolidated Extra Board works the assignment on No. 94 from Lincoln to Sioux City. The Lincoln extra engineer will be deadheaded back to Lincoln when relieved from duty at Sioux City and if vacancy still exists when this assignment is called out of Sioux City, it will be filled from the extra board at Sioux City.

Below, is the understanding that will be followed initially for the regulation of the Consolidated Engineer's Extra Board.

When an increase is necessary pursuant to the mileage requirement of Rule 57: only one man will be added to the extra board each 24-hour period until the required number of men are placed on the extra board. After the first man is added, the miles will be figured per Rule 57 each 24-hour period. All engineers will be placed on or removed from the extra board on a one-on or one-off basis. Fractions of a man will not be used to increase or decrease the Consolidated Engineer's Extra Board. The extra board will be adjusted at 10:00 AM. If an engineer bumps onto the extra board, the junior man will be removed from the board immediately.

Average miles over 3,800 calls for an increase in the number of engineers on the extra board.

Average miles under 3,200 calls for a decrease in the number of engineers on the extra board.

Miles will be figured over a 10 day period as set forth in Rule 57.