

Wayne E. Naro  
General Director



May 23, 2008

File 210-20

Mr. D. R. Albers  
General Chairman BMWED  
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Longview TX 75606-2767

Mr. Hayward J. Grainer  
General Chairman BMWED  
P O Box 329  
Mayfield KY 42066

Mr. J. T. Finch  
General Chairman BMWED  
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Mr. Larry L. Foster  
General Chairman BMWED  
Route 2, Box 250A  
Coffeyville, Kansas 67337

Mr. L. D. Riley  
General Chairman BMWED  
3626 Hotze Road  
Salem IL 62881

Dear Sirs:

This is to confirm our discussions concerning the agreement dated March 23, 2006 establishing special power tool trackman positions.

During our discussions, it was your position that senior employees were not being assigned to Ballast Cribber, Tie Plug Inserter, Tie Adzer and Rail Lifter Production positions because they were not shown as qualified in the Machine Operator Qualification Database. It was your position that these positions were not machines and should not be treated as such.

You were advised that the Carrier retains the right to set reasonable qualifications on positions and Rule 20(b) of the agreement requires for an employee to be qualified before being assigned to positions.

Notwithstanding our respective positions on this matter, it was agreed that an employee's qualifications would be entered into the database for positions that require a qualification. Employees would be allowed to make application to be trained on equipment on which they are not qualified. If the equipment comes up for bid before the employee has been trained, the employee who has bid on the position and is the senior bidder, will be assigned to the position and will be given full cooperation and assistance in his/her efforts to qualify. It is understood that the request for training must be on record at least 60 days prior to the position coming up for bid. It is further understood that if an employee is not shown in the database as being qualified on a piece of equipment, the employee will not be permitted to displace onto that position.

May 23, 2008  
File 210-15

If the foregoing correctly sets forth the understanding reached in conference, please sign the space provided below. This understanding will be effective \_\_\_\_\_, 2008.

Yours truly,

W. E. Naro  
General Director Labor Relations

AGREED:

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General Chairman, BMWED

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General Chairman, BMWED

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General Chairman, BMWED

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General Chairman, BMWED

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General Chairman, BMWED

APPROVED:

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Vice President, BMWED