

GENERAL COMMITTEE OF ADJUSTMENT

united transportation union

UNION PACIFIC RAILROAD COMPANY
(Former C&NW Railway Co.)

November 6, 2001
(U-281-01)

307 W. LAYTON AVE.
MILWAUKEE, WI 53207
414-489-3700
FAX 414-489-3705
E-MAIL UTUGCA225@aol.com

Mr. Bob Alba
Local Chairman, L-322
6610 S. 122nd Street
Franklin, WI 53132

Mr. Jerry Kalbfell
Local Chairman, L-528
300 West Adams Suite 814
Chicago, IL 60606-5109

Mr. Al Bertolani
Local Chairman, L-577
1032 E. Madison Street
Lombard, IL 60148

Reference: Nextel Cellular Phones Agreement

Dear Sirs and Brothers:

The vote to accept the Letter of Understanding pertaining to Metra passenger trainmen utilizing Nextel Cellular phones while on duty and for personal use while off duty, was unanimous.

Attached hereto for your file is a signed copy of the Letter of Understanding and Memorandum of Agreement revising Rule 101.

I would like to thank each of you for your input and support on this issue. With best wishes, I remain

Fraternally yours,

John W. Babler
General Chairman, G.C.A.

JWB:jg

Attachment



GENERAL COMMITTEE OF ADJUSTMENT

united transportation union

UNION PACIFIC RAILROAD COMPANY
(Former C&NW Railway Co.)
October 26, 2001
(U-268-01)

307 W. LAYTON AVE.
MILWAUKEE, WI 53207
414-489-3700
FAX 414-489-3705

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Chicago, IL 60606-5109

Mr. Al Bertolani
Local Chairman, L-577
1032 E. Madison Street
Lombard, IL 60148

Reference: Nextel Cellular Phones Metra Passenger Service

Dear Sirs and Brothers:

Attached hereto are two (2) October 26, 2001 letters from Union Pacific Director James Albano pertaining to METRA operations assigning Nextel Cellular telephones to our short turnaround passenger train service employees. The October 26, 2001 letter is self explanatory, as is the amendment to Rule 101.

As I am sure each of you are aware, under Article VIII, Section 3 (a) of the UTU 1985 National Agreement, the Carrier can require train service employees to use communication devices, we quote therefrom:

“Section 3 - Incidental Work

(a) Road and yard employees in ground service and qualified engine service employees may perform the following items of work in connection with their own assignments without additional compensation:

- (9) Use communication devices; copy and handle train orders, clearances and/or other messages.”**

As the result of the aforementioned contract language, I suggest that your respective Locals accept the conditions in the October 26, 2001 letters.

Please indicate your concurrence by signing in the space provided below and return a copy of this letter to this Office no later than Monday, November 12, 2001.

Fraternaliy yours,

John W. Babler
General Chairman, G.C.A.

JWB:jg

Attachments

I Concur:

Local Chairman

11/5/01

Date

UTU Local 528

UNION PACIFIC RAILROAD COMPANY

1416 DODGE STREET
OMAHA, NEBRASKA 68179



RECEIVED
October 26, 2001

MR J W BABLER
GENERAL CHAIRMAN UTU
307 W LAYTON AVE
MILWAUKEE WI 53207

OCT 27 2001
UTU COMM. COMM-PROPER
U.P. (CNW)

Dear Sir:

This refers to our recent discussions about Nextel portable (cellular) phone use in Union Pacific suburban passenger service. I understand Metra has assigned Nextel phones to train service employees to enhance communications between on-board personnel and various other offices tied into the Metra communication network. The primary purpose of these telephones is for communication in connection with service disruptions, emergencies, and train delays. Metra has asked UP Commuter Operations to similarly equip UP train service personnel working in suburban passenger service.

To ensure uniformity across Metra operations, Union Pacific train service employees working in suburban passenger service will be assigned Nextel phones for on-duty use. At the discretion of Union Pacific Commuter Operations, Nextel phones may be used for on-duty communications, including direct communications, if any, between the Metra communication network and Union Pacific Train Service employees. However, any instructions dealing with train movement, train operations, or the placement of Union Pacific train service employees will be conveyed by the appropriate Union Pacific personnel designated with authority to issue such instructions. Although employees will be permitted to make personal use of these phones while off-duty (including lay-overs), on-duty personal use will be prohibited, except in emergency. Employees may, at their discretion, provide the number of the Nextel phone to Crew Management, which is free to contact the employee at the number provided for any and all crew management functions ordinarily communicated via telephone.

Each employee assigned a Nextel phone will be permitted 200 minutes of cellular phone time per month for their personal communication, at no charge to the employee. In addition, each employee will also be allowed 1000 minutes of cellular phone time on weekends for their personal communication, at no charge to the employee. Employees will be financially responsible for phone use in excess of that indicated, and will also be allowed to arrange with Nextel to add a second number to their telephones, with the second number being a private personal number that is paid for entirely by the employee.

The phone time referred to in the above paragraph, or the monetary equivalent thereof, is a gratuity only and does not constitute agreed compensation (rates of pay, guarantees, etc.) of any kind for any purpose. Accordingly, the phone minutes or monetary equivalent will not be used to calculate trip rates, nor for any other purpose with respect to rates of pay, wages, or other forms of compensation.

If you have any questions, please call me.

Sincerely,

A handwritten signature in black ink that reads "J.G. Albano". The signature is written in a cursive style with a large, looping initial "J".
Jim Albano
Director Labor Relations

UNION PACIFIC RAILROAD COMPANY

1416 DODGE STREET
OMAHA, NEBRASKA 68179



October 26, 2001

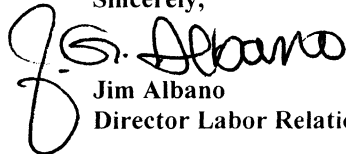
MR J W BABLER
GENERAL CHAIRMAN UTU
307 W LAYTON AVE
MILWAUKEE WI 53207

Dear Sir:

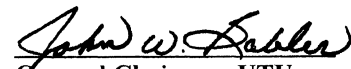
This refers to my letter dated October 26, 2001 regarding use of Nextel (cellular) phones in suburban passenger service.

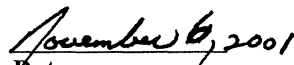
Union Pacific recognizes that the Nextel phones will be subject to normal wear and tear. Accordingly, employees will not be held responsible for incidental damage. Also, the Carrier proposes that employees will be held responsible for lost telephones only if they lose more than two telephones within a three-year period. Such an understanding would be limited only to Nextel phone use in suburban passenger service, and, to that extent, would modify Rule 101 in the trainmens' schedule agreement. Would therefore appreciate if you would signify your concurrence by signing and dating in the space provided below.

Sincerely,


Jim Albano
Director Labor Relations

CONCUR:


General Chairman UTU


Date

CC: Greg Larson
Dave Grewe
Dick Meredith
Terry Olin
Alan Weed
Dave Foley