

MEMORANDUM OF AGREEMENT
between the
UNION PACIFIC RAILROAD COMPANY
and the
UNITED TRANSPORTATION UNION
(For The Former C&NW Lines Territory)

It is Agreed:

The provisions of Article XIII, Section 4, of the 1985 UTU National Agreement concerning the promotion of trainmen into engine service will be amended on the Eastern 1, Northeastern 2 and Chicago Freight Terminal as provided below.

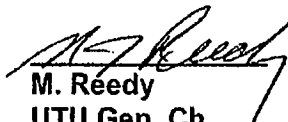
- A. Section 4-(2) of Article XIII requires trainmen who established seniority on or after November 1, 1985 to accept promotion into engine service in proper turn. The parties have agreed to amend this portion of Section 4 to force assign the junior trainmen to any position that is no bid, rather than the senior trainmen. In the application of this amendment the junior trainmen with a minimum of two years of seniority in train service on the CNW will be force assigned to a position that is no bid.

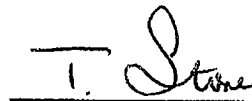
- B. Any trainmen making application for promotion into engine service under Article XIII must also have a minimum of two years of service, as a trainman on the CNW, in order to have his/her bid considered for promotion under Section 4.

If a trainman having less than two years of train service on the CNW has experience in train service on another Railroad or another territory of the Union Pacific, and expresses a desire to enter into the engineers training program, the local chairman and manager may discuss the employees experience and agree to waive the two years of train service requirement on the CNW.

Except for the items listed above, all other provisions of Article XIII of the 1985 UTU National Agreement will remain unchanged.

This agreement signed and will become effective on March 31, 2008.

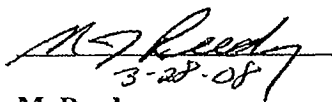

M. Reedy
UTU Gen. Ch.
3-28-08


T. Stone
Dir. Labor Rel.

Side Letter No. 1

In regard to our agreement of this date modifying the provisions of Article XIII, Section 4, of the 1985 UTU National Agreement, the parties agree that references to "CNW" refer to the portion of the Union Pacific property governed by the former CNW collective bargaining agreements.

The two years of train service shall be measured from the scheduled starting date of the engineer training class.



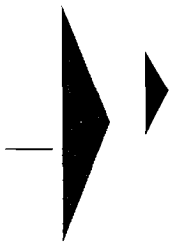
M. Reedy
UTU Gen. Chrmn.



T. Stone
Director Labor Relations

**Ballot Tabulation
Article XIII - Engine Service**

<u>Local</u>	<u>Chairman</u>	<u>Accept</u>	<u>Reject</u>
312	Mark Asselin	X	
322	Bob Alba	X	
528	Dave Wells	X	
577	Ken Larson	X	
577R	Rick Shinn	X	



GENERAL COMMITTEE OF ADJUSTMENT

united transportation union

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

March 31, 2008
(U-46-08)

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

Mr. C. A. Walker
342 N. Forest
Hillside, IL 60162

Mr. D. J. Mongelli
7331 Northgate Way #1
Downers Grove, IL 60516

Reference: Article XIII, Engine service

Dear Sirs and Brothers:

Thank you for your correspondence regarding the proposal to amend Article XIII of the 1985 UTU National Agreement. It is evident from your letters that you gave considerable thought to this matter.

Your primary concern is stated as *"those forced members should be the true young members, not those in the middle as proposed with the two year requirement"*, and, *"flip the seniority from senior to junior then ensure that it truly indeed is the junior (bottom) guy on the roster"*. Mr. Walker states that *"EVERY member can be happy with"* a proposal which would force the junior employee on the seniority roster to engine service.

I question whether any employee will be "HAPPY" if they are the individual required to protect a bulletin for transfer to engineer training. The employees in train service are obligated to protect the manpower requirements in engine service. The only latitude is whether to recognize the seniority rights of senior employees, or force those senior employees to take up service in another craft in lieu of junior employees.

Your Local is not the first to amend the provisions of Article XIII. On a neighboring portion of the Union Pacific, Article XIII was amended to provide that employees having a minimum of three years seniority would be forced to accept engineer training. Is three years more equitable than two years? Or five years more equitable than three? The two year requirement has precedent on this property in Trainmen's Rule 93, which required two years actual experience before promotion to Conductor. The carrier expressed a concern that less than two years experience was insufficient. There was no malice intended nor targeting of any individual(s) when the two year requirement was established.

You also express concern that the voting method was improper. The amendment is a local agreement, effective on only three seniority districts. The voting requirement for local agreements is a poll of the affected local chairpersons. This was accomplished over a two week period. The ballot cast by your representative was valid and proper.

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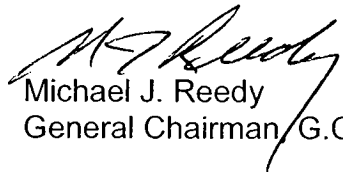
Messrs. Walker and Mongelli

-2-

March 31, 2008

The effect of the amendment of Article XIII upon you or any specific individual I cannot predict. If insufficient applications are received for engineer training, some individuals will be required to protect the positions. The amendment of Article XIII, passed unanimously by the five local representatives, recognizes the right of the senior employees to select assignments and working conditions.

Fraternally yours,


Michael J. Reedy
General Chairman, G.C.A.

MJR:jg

cc: Local Chairmen
J. J. Maeda