

UNION PACIFIC RAILROAD COMPANY

Beth Wilderman
Director, Labor Relations
(402) 544-7161



Union Pacific Center
1400 Douglas Street STOP 0710
Omaha, NE 68179-0710

BUILDING AMERICA

May 2, 2013

BRENT C. LEONARD
GENERAL CHAIRMAN UTU 953
5990 SW 28TH STREET SUITE F
TOPEKA, KANSAS 66614

Dear Mr. Leonard:

This letter will confirm our recent discussions regarding the familiarization and recertification of train service employees who are licensed/qualified locomotive engineers currently "cutback" and assigned in train service on the UTU Eastern District and Northwestern District– Oregon Division territories.

In accordance with Article XIII [Firemen] of the 1985 UTU National Agreement, these "cutback engineers" are scheduled for proficiency training and familiarization as deemed necessary while assigned in train service. For example, the Carrier may schedule training for cutback engineers that are not the senior employees subject to recall in engine service because those senior employees have either (a) already been recertified/trained, or (b) are not in need of recertification/training until a later date.

This letter will serve to clarify the Carrier's current practice under the provisions of the 1985 UTU National Agreement, Article XIII [Firemen], Section 1.5:

Article XIII [Firemen]:

"The craft or class of firemen (helpers) shall be eliminated through attrition except to the extent necessary to provide the source of supply for engineers and for designated passenger, firemen, hostler, and hostler helper positions. Trainmen shall be the source of supply for these positions as herein after provided."

"Section 1.5 - *"Firemen (helpers) whose seniority is established on or after November 1, 1985 will have the right to exercise seniority limited to designated positions of passenger fireman, hostler, or hostler helper. The seniority rights of such firemen are subject to the following exceptions:*

- a) *When required to fulfill experience requirements for promotion, or engaged in a scheduled training program.*
- b) *When required to fulfill engineer vacancies or assignments.*

This will not preclude the Carrier from requiring firemen to maintain proficiency as engineer and familiarity with operations and territories by working specified assignments."

In line with the foregoing provisions of Article XIII of the 1985 UTU National Agreement, the Carrier may continue to schedule training as deemed necessary for the purpose of retaining/maintaining current proficiencies, FRA licenses, operational familiarization, and other relevant or appropriate training for qualified/certified engineers "cutback" and assigned in train service.

It is further understood that when assigned to specified positions for the purpose of training, familiarization and/or recertification, these cutback engineers will continue to be treated as trainmen working under the terms and conditions of the governing UTU Agreements (ie. they will not be considered assigned to working engineer positions).

If you concur with this clarification, please sign and date in the space provided.

Respectfully,

Beth Wilderman

Beth Wilderman

[END]

AGREED:


Brent C. Leonard, General Chairman UTU 953

5/3/13

Date

B C Leonard, General Chairman
J W Brackett, Sr Vice Chairman
R D Warth, Sr Vice Chairman
R S Mohr, Sr Vice Chairman



5990 SW 28th St, #F
Topeka, KS 66614
Phone (785) 273-7737
Fax (785) 273-9380
gca@utu953.org

united transportation union

Consolidated General Committee of Adjustment
*Union Pacific Railroad Eastern District, Denver, Portland, Salina & Salt Lake Hubs
Kyle Railroad, Nebraska Central Railroad, Portland Terminal Railroad, & Wichita Terminal Assoc*

May 8, 2013

via e-mail and US Mail

**Local Chairpersons
Union Pacific Railroad
GO-953**

Dear Sister and Brothers:

At many different locations, the Carrier has routinely used set-back engineers (working as trainmen) in training to maintain their locomotive operating proficiency.

This practice recently became a contentious issue between this office and the Carrier. Additionally, the organization representing engineers was seeking an agreement allowing trainmen, outside of seniority order, to return to the engineer craft for training purposes.

Attached is a copy of a recent Letter of Understanding between this office and the Carrier which recognizes that under the terms of the 1985 UTU National Agreement, set-back engineers working as trainmen may be used outside of seniority order for training in order to maintain locomotive operating proficiency.

In addition, this LOU requires that engineer proficiency training be scheduled and assigned. Carrier cannot use a working (on-duty) conductor as an engineer to re-certify him/her nor can Carrier use a conductor from a trainman's extra board without scheduling and then assigning the employee to a training board. Most importantly, these trainmen, while in engineer proficiency training, are not assigned as working engineers, and thus remain under terms and conditions of the governing UTU agreements.

On properties where a conflicting practice, understanding or agreement exists, the attached LOU governs.

Fraternally,

Brent C Leonard
General Chairman

tjt
Attachment

