



BUILDING AMERICA®

Mr. Dennis Albers
General Chairman BMWED
111 Imperial Boulevard C-300
Hendersonville, TN 37075

Mr. Patrick Charters
General Chairman BMWED
801 W. Bristow Street
Monticello, IL 61856

Mr. Brian Rumler
General Chairman BMWED
1968 S. Coast Hwy #380
Laguna Beach, CA 92651

December 11, 2023

General Chairmen,

This is in reference to our discussion concerning the Company's desire to achieve a higher level of productivity in connection with backhoe operations. In this effort, the Carrier has secured additional equipment to assist with this work.

It is agreed the restricted backhoe operator positions and any support positions will be advertised on the seniority territories governed by the January 1, 2011, Agreement between the Union Pacific Railroad (former Missouri Pacific Railroad Company) and the Brotherhood of Maintenance of Way Employes. The Carrier will advertise the backhoe operator and any necessary support positions under the provisions of Rule 21 (Restricted Positions). The restricted positions are governed by Rule 21; except as modified as follows:

1. Notation will be made on the bulletin to indicate the backhoe is a "Restricted Position" assignment. The bulletin will also indicate whether the position is assigned to a "Zone" on-line location, or to the system on-line.
2. Assignments to the new backhoe positions will be awarded to the senior bidder with the opportunity to qualify.
3. Employees assigned to the restricted backhoe positions will attend the Carrier's technical skills training program for backhoe operators, which will consist of approximately one (1) week of facility training and one (1) week of field training. Employees will be compensated at the applicable straight time rate of pay for their time in training.
4. The parties agree that the technical peer trainer selected will be placed on a temporary leave of absence from the Carrier for "Union business," and will be compensated for wages by the Organization for the duration of this training program. Once training for all advertised positions is complete, and the peer trainer is released from "Union business," any subsequent re-training performed by the peer trainer will be compensated by the Carrier under the current assignment, at his/her applicable rate of pay.

6. Employees who successfully complete the training program will be expected to operate the backhoe safely and efficiently. Employees who do not meet Carrier standards after completing the initial two (2) week training session will be allowed to attend one (1) additional training session. If employees are unable to meet Carrier standards after the second session of training, they will be removed from the position, and will be allowed displacement rights in accordance with the agreement. Employees who fail to qualify after two (2) training sessions will not be able to bid to qualify for a period of one hundred-eighty (180) days.
7. Employees assigned to a restricted backhoe operator position shall receive the following hourly rate of pay: \$39.59.
8. The above-listed restricted position(s) shall receive an additional \$1.50 per hour differential for all compensated hours worked. This differential allowance is not subject to general wage or cost of living allowance increases.

Subsequent modification(s) shall require mutual agreement by the parties' signatory hereto. Either party can request to cancel the agreement with thirty (30) days written notice to the other party.

It is understood this agreement does not alter existing contracting rights, practices, or interpretations. All other CBA provisions remain unchanged. This agreement is made without prejudice to the position of either party and does not establish precedent. If the foregoing correctly sets forth our agreement, please sign below.

Respectfully,

Chris Bogenreif

Chris Bogenreif
Director NonOps
WR - Labor Relations

Agreed:

Dennis R. Adams
General Chairman - BMWED

December 15, 2023
Date

Peter A. Clout
General Chairman - BMWED

December 15, 2023
Date



General Chairman - BMWED

December 15, 2023
Date

Approved:



Vice President - BMWED

December 15, 2023
Date