



Gena L. Shire
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Labor Relations

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Mr. Pat Williams
General Chairman BLET (ATSF)
101 N. Beverly St.
Crowley, TX 76028

September 9, 2009

Dear Mr. Williams,

This refers to our conversation wherein we discussed the proper handling of meal period claims in yard service.

We agreed that your current agreements provide that yard engineers are entitled to a 20 minute meal period between 4 ½ and six hours. If this first meal period is not allowed, the yard engineer is entitled to payment of 6 miles. The yard engineer then should be afforded a meal period to be started no later than the beginning of the 7th hour. If this meal period is likewise not afforded, the yard engineer is entitled to payment of an additional 6 miles. At this point, the yard engineer must specifically request a meal period. If the meal period is denied, the yard engineer must identify when the meal period was requested and the name of the individual who denied the request. Then, if the yard engineer is not afforded a meal period to commence before the beginning of the 10th hour, and additional 50 miles shall be allowed. In addition, in the event BNSF disputes the information provided by the yard engineer, the declination must identify who either granted a request for a meal period or instructed the yardman to observe a meal period, when the request/instruction occurred, and the site of the eating location. Notwithstanding the foregoing, yard engineers will not be considered as waiving their meal period, and shall be allowed a meal period as soon as operationally possible.


It was further understood that yard engineers making claim under this provision must show that an appropriate eating location was available within the identified time parameters. We agreed that a "proper eating location" would be a location that contemplates a lunchroom, restaurant or other location that allows the engineer to get off the locomotive, sit down and consume a meal, including, but not limited to, the on/off duty location. Notwithstanding the foregoing, yard engineers on duty for 10 hours or more, who have not been afforded a meal period, shall be allowed a meal period as soon as operationally possible upon arrival at the on/off duty location.

If the foregoing accurately reflects our understanding, please affix your signature in the space provided on copy of this letter, and return a fully executed copy to the undersigned.

Sincerely,

Ormel Shire
us

I AGREE:


General Chairman

This understanding to become effective October 1, 2009.