

Brotherhood of Locomotive Engineers and Trainmen

GENERAL COMMITTEE OF ADJUSTMENT
Union Pacific Western Lines
404 North 7th Street, Suite A
Colton, CA 92324-2941
(909) 514-1056 • FAX (909) 514-1089

D.W. HANNAH
Chairman

February 15, 2008

Mr. J.R. Eutsler, Local Chairman
BLET - Division 158
P.O. Box 5430
Reno, NV 89513

Org. File E-28974

Dear Sir and Brother:

Please refer to your letter dated February 6, 2008, regarding the January 10, 2006 "Train & Engine Service Ebb & Flow" Agreement.

I will answer your four (4) questions as you posed them, however there is one simple tenet to this Agreement that if you will always remember, might save some heartburn in the future. "NO SENIOR ENGINEER WILL BE ALLOWED TO WORK AS A TRAINMAN IN ANY EBB & FLOW TERRITORY (EFT) WHEN THERE IS A JUNIOR ENGINEER WORKING AT THAT EFT." That statement really answers all four of your questions though I will address each of them.

A.1. III. FLOW FROM ENGINE SERVICE in the January 10, 2006 Agreement allows those engineers reduced from the engineer working list to "migrate" to other EFT locations within their seniority districts. If there are no JUNIOR engineers working at that location – then the engineer may exercise his trainman's seniority.

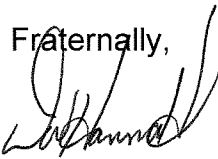
Side Letter #1 would allow the engineer to make application to the engineer's positions at other EFT locations, therein circumventing IV. FLOW TO ENGINE SERVICE A.1., as long as there were NO SENIOR ENGINEERS WORKING IN TRAIN SERVICE AT THAT EFT. If there were senior engineers working as trainmen, then they must be setup to the working list as identified in IV. A.1. before taking applications from Side Letter #1.

A.2. At any EFT location, if a promoted engineer has no place to exercise seniority as a trainman, he/she may elect to use their seniority at other EFT locations, first displacing any JUNIOR engineer; if none, they may use their trainman's seniority at said location.

A.3. NO.

A.4. This cannot happen. Prior to accepting application under Side Letter #1, the senior demoted engineer at that EFT location must be setup before accepting application from a junior engineer working at any other EFT location.

I appreciate your written request for this formal ruling. Rulings from this Chair need to be furnished to the entire GCA so that we all are "on the same page" as you identified. Also, written documentation is necessary in the event of appeals that may be undertaken from any ruling(s) by any General Chairman. I remain,

Fraternally,


D.W. Hannah

cc: All L/C's & S/T's


Brotherhood of Locomotive Engineers and Trainmen

John Eutsler - Local Chairman - Division 158

P.O. Box 5430

Reno, NV 89513

(775) 813-3668

RECEIVED

FEB 11 2008

BLET
US CERTIFIED MAIL NO. 7006 2150 0003 3940 3740
RETURN RECEIPT REQUESTED

February 6, 2008

DW Hannah – General Chairman – Western lines
 404 N. 7th St.
 Colton, CA. 93304

Brother Hannah,

There have been a lot of questions regarding the 2004 Ebb & Flow agreement and its current application to Train and Engine service employees. At our last Division meeting many came up. Would it be possible to formulate some questions and answers regarding this agreement, so that more scenarios are played out with YOUR interpretation? With the current demand for manpower failing, we are finding in our location different scenario's coming to light.

1. Flowing back to train service in an EF&T location and subsequent navigation to another location in that zone as a trainman and as an engineer. Side letter #1 I believe might cover this practice.
2. Flowing back to train service and subsequently not being able to hold that same location as a Trainmen, can this employee go to another EF&T location and mark up as an engineer if said employee has junior engineers working in that location?
3. Regarding question 2, can this employee choose to stay in train service if there is a junior engineer working in that location?
4. An engineer in one EF&T location has a bid for a engine service position in another EF&T location, gets picked up by application, in new location same zone, but has a junior engineer working in that location as a trainman, what happens?

I would like to be on the "same page" if you will, with the other chairmen being both UTU and BLE&T. It seems as though different interpretations are being used in different locations in the same zone. I believe a standard practice should be used, as the issue of be displaced as you know is very important. Any help from you Sir, in this matter would be greatly appreciated.

Respectfully,

John R. Eutsler Local Chairman
 BLET div. 158