

United Transportation Union

GENERAL COMMITTEE OF ADJUSTMENT
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY
(COAST LINES)



W. E. Young
General Chairman

R. B. VanNeman
First Vice-Chairman

T. H. Botts
Second Vice-Chairman

A. W. Grossweiler
Third Vice-Chairman

D. L. Young
Secretary

Suite B 5
12465 Mills Ave.
Chino, CA 91710
Telephone (909) 548-2006
FAX (909) 548-2007

May 16, 2005

John J. Fleps
Vice President Labor Relations
BNSF Railway Company
P.O. Box 961030
Fort Worth, Texas 76161-0030

RE: Exclusive Representation
And Seniority Maintenance

Dear Sir:

This letter is in reference to the Letter of Intent dated November 1, 2004, from Robert F. Allen, Chairman National Railway Labor Conference, addressed to Mr. Paul C. Thompson, President, United Transportation Union and serves as notice from this Committee of our desire to implement the Exclusive Representation and Seniority Maintenance provisions contained in the Letter of Intent dated November 1, 2004, at the following locations.

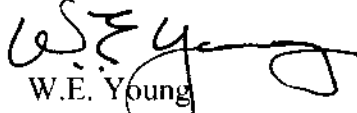
1. Gallup, New Mexico- Southwest Division (Road and Yard)
2. Winslow, Arizona – Southwest Division (Road and Yard)
3. Needles, California – California Division and Southwest Division(Road)
4. San Bernardino, California – California Division(Road and Yard)
5. Los Angeles, California – California Division (Road and Yard)
6. San Diego, California - California Division (Road and Yard)
7. Barstow, California – California (Yard)

8. Bakersfield, California – California Division (Road and Yard)

Please find the enclosed Memorandum of Agreement being forwarded for your signature to place the Letter of Intent in effect on June 1, 2005, in the territories listed.

Should you have any questions or desire a meeting to discuss the contents of this letter, please contact this office to schedule same.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'W.E. Young', with a large, sweeping flourish extending to the right.

W.E. Young
General Chairman
General Committee 0017

Enclosure

cc: P.C. Thompson, UTU-President

MEMORANDUM OF AGREEMENT
Between The
BURLINGTON NORTHERN SANTA FE
RAILWAY COMPANY
And The
UNITED TRANSPORTATION UNION
(Former ATSF Coastlines)

The November 1, 2004 UTU-NCCC Letter of Intent attached hereto is adopted and incorporated herein by reference as the agreement of the parties signatory below effective June 1, 2005 on the following territories:

1. Gallup, New Mexico- Southwest Division (Road and Yard)
2. Winslow, Arizona – Southwest Division (Road and Yard)
3. Needles, California – California Division and Southwest Division(Road)
4. San Bernardino, California – California Division(Road and Yard)
5. Los Angeles, California – California Division (Road and Yard)
6. San Diego, California - California Division (Road and Yard)
7. Barstow, California – California (Yard)
8. Bakersfield, California – California Division (Road and Yard)


General Chairman GO-017

Vice-President – Labor Relations

Notice to Non Member

As the duly designated collective bargaining representative for conductors and trainmen under the Railway Labor Act, the UTU must represent every employee working or holding seniority in train service on the property with respect to bargaining, contract administration, arbitration, and claim and grievance handling, including non-members. To provide support for the substantial financial and administrative burden incurred by the UTU in representing and protecting the rights of employees working in train service who are not UTU members, the UTU has entered into an agreement that would amend certain existing agreements governing train service seniority to ensure that the organization will be the exclusive representative for on property claim, grievance and discipline handling and will receive financial support from all employees whose seniority rights and interests we are required by law to protect.

Accordingly, pursuant to the Agreement dated November 1 2004, the UTU and its duly designated officers shall have the exclusive right to represent employees working in train service in carrier-level grievance, claim and disciplinary proceedings. Only the UTU may represent employees working under the jurisdiction of a UTU collective bargaining agreement on the property

Further, each employee working in train service under a collective bargaining agreement represented by the UTU that does not hold UTU membership will be required to pay a monthly Seniority Maintenance Fee (SM) to the UTU in order to continue to accumulate train service seniority.

You have been identified as working in train service as of _____ and records indicate you are not a member of the United Transportation Union. Pursuant to the Agreement dated November 1, 2004 you are required to pay to the UTU a seniority maintenance fee, or you may become a UTU member. The seniority maintenance fee necessary to comply with the Agreement is \$78.39 per month, if you choose to pay the seniority maintenance fee to comply with the Agreement you will be a non-member and will have no rights of membership, such as voting on agreements, participating in elections, or attending local meetings. Should you decide to become a UTU member, you would become a member of Local 113 and pay fill dues of \$84.30 per month.

UTU dues or the Seniority Maintenance Fee are payable prior to the first day of the month in which they are due. Please advise the treasurer of Local 113 listed below as to whether you choose to pay the seniority maintenance fee due from non-members or pay fill dues and become a UTU member. You must also advise Treasurer Robert Olague if you will be paying by check or would like to be placed on payroll deduction. The first dues or SM fee will be payable on June 1, 2005.

A non-member of UTU assigned to train service who fails to join the UTU or pay the SM fee when due, will have their individual train service seniority frozen. When seniority is frozen, all employees on the trainmen's seniority roster below the employee that elected to not pay the Seniority Maintenance Fee, upon accumulating years of service greater than that of the non member at the time his seniority was frozen, will be permanently placed ahead of them on the seniority roster.

Robert Olague
Treasurer, UTU Lodge 113
417 East Oak Street
Winslow, AZ 86047

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May 19, 2004

All Lodge Treasurers:

Dear Brothers:

I am enacting the Seniority maintenance fee because you either made that request or the fact that there are far too many members on the ground at your location paying dues to the Union that does not hold their contract.

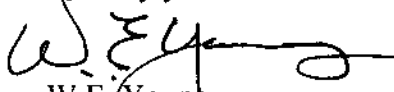
Enclosed for your use is a FORM LETTER that may be used to mail to those employees that are working on the ground and not paying "Dues" to the UTU.

The method used in determining the maintenance amounts was as follows

84.4% of International dues
84.8% of Legislative dues
99.6% of General Committee dues
100 % of Local and Local Committee dues.

To those that "DO NOT REPLY" either mail a registered letter to them or send a list of those employees that do not respond to your mailing and this office will send them a registered letter.

Fraternally yours,


W.E. Young
General Chairman

Enclosures

Local	International	Legislative	Local	GCA	LCA	Total	
113	\$20.50	\$16.80	\$7.00	\$32.00	\$8.00	\$84.30	Regular Dues
	\$17.30	\$14.21	\$7.00	\$31.87	\$8.00	\$78.39	Maintenance dues
771	\$20.50	\$5.00	\$7.75	\$32.00	\$9.00	\$74.25	Regular Dues
	\$17.30	\$4.23	\$7.75	\$31.87	\$9.00	\$70.15	Maintenance dues
811	\$20.50	\$5.00	\$11.25	\$32.00	\$12.00	\$80.75	Regular Dues
	\$17.30	\$4.23	\$11.25	\$31.87	\$12.00	\$76.65	Maintenance dues
1081	\$20.50	\$16.80	\$13.00	\$32.00	\$8.00	\$90.30	Regular Dues
	\$17.30	\$14.21	\$13.00	\$31.87	\$8.00	\$84.39	Maintenance dues
1241	\$20.50	\$5.00	\$4.00	\$32.00	\$10.00	\$71.50	Regular Dues
	\$17.30	\$4.23	\$4.00	\$31.87	\$10.00	\$67.40	Maintenance dues
1252	\$20.50	\$5.00	\$10.00	\$32.00	\$12.75	\$80.25	Regular Dues
	\$17.30	\$4.23	\$10.00	\$31.87	\$12.75	\$76.15	Maintenance dues
1544	\$20.50	\$5.00	\$9.75	\$32.00	\$7.75	\$75.00	Regular Dues
	\$17.30	\$4.23	\$9.75	\$31.87	\$7.75	\$70.90	Maintenance dues
1581	\$20.50	\$5.00	\$6.25	\$32.00	\$7.00	\$70.75	Regular Dues
	\$17.30	\$4.23	\$6.25	\$31.87	\$7.00	\$66.65	Maintenance dues
1694	\$20.50	\$5.00	\$15.50	\$32.00	\$12.00	\$85.00	Regular Dues
	\$17.30	\$4.23	\$15.50	\$31.87	\$12.00	\$80.90	Maintenance dues
1730	\$20.50	\$5.00	\$15.00	\$32.00	\$15.00	\$87.50	Regular Dues
	\$17.30	\$4.23	\$15.00	\$31.87	\$15.00	\$83.40	Maintenance dues

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B.G. Thompson
P.O. Box 3992
Somewhere, CA 90009

May 19, 2005

Suite B 5
12465 Mills Ave.
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Telephone (909) 548-2006
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CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NO. 1234 5678 9123 4567 8912

Dear Mr. Thompson:

ON May 23, 2005 you were mailed "Notice to Non Member" letter, wherein you were notified that you were working in a craft where the United Transportation Union is the designated representative. By the "LETTER OF INTENT" Agreement dated November 1, 2004 you are required to pay a Seniority Maintenance fee (SM) or become a member of the UTU.

As of the date of this letter, you have failed to pay the SM fee or join the UTU. If you do not comply with the May 23, 2005 Letter by June 15, 2005, your seniority will be frozen as provided in Section 2(b) of said agreement.

You are required to pay the UTU a seniority maintenance fee, or become a UTU member. You are urged to contact UTU Local Secretary/Treasurer (Your Name) (Your Phone Number) or UTU Local Chairman (Your Local Chairman's Name)(His Phone Number) in order to make arrangements for payment.

Sincerely,

(Your Name)
(Title)

cc: W.E. Young, General Chairman