



Labor Relations Department
6735 Southpoint Drive South, J-455
Jacksonville, FL 32216
E. Caurth – Manager

December 2, 2015

Mr. D. R. Albers, General Chairman
Brotherhood of Maintenance of Way Employes
Allied Federation
111 Imperial Blvd., C-300
Hendersonville, TN 37075

Mr. J. Dodd, General Chairman
Brotherhood of Maintenance of Way Employes
Pennsylvania Federation
421 North 7th Street, Suite 299
Philadelphia, PA 19123

Mr. E. W. Long, General Chairman
Brotherhood of Maintenance of Way Employes
Consolidated Rail System Federation
58 Grande Lake Drive, Suite 2
Port Clinton, OH 43452

Dear Sirs:

This will confirm in writing the understanding reached on December 1, 2015, between the Carrier and the Organization concerning the Carrier's need to establish night gang positions in compliance with Rule 12(c) of the BMW System Agreement effective June 1, 1999 at the locations listed below. The starting time of the night gangs shall be not earlier than 4:00 P.M. and not later than 9:00 P.M. The positions, starting times and work week may be established at the following locations, as follows:

| <u>Location</u> | <u>Position(s)</u> | <u>Assigned Days</u> | <u>Hours</u> |
|-----------------|--------------------|----------------------|-----------------|
| Queensgate Yard | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |
| Barr Yard | Foreman | Monday-Friday | 7:00PM – 3:00AM |
| | Vehicle Operator | Monday-Friday | 7:00PM – 3:00AM |
| | Machine Oper. "A" | Monday-Friday | 7:00PM – 3:00AM |
| | Assistant Foreman | Monday-Friday | 7:00PM – 3:00AM |
| Walkerton, IN | Foreman | Monday-Friday | 7:00PM – 3:00AM |
| | Machine Oper. "A" | Monday-Friday | 7:00PM – 3:00AM |
| Garrett, IN | Foreman | Monday-Friday | 7:00PM – 3:00AM |
| | Machine Oper. "A" | Monday-Friday | 7:00PM – 3:00AM |

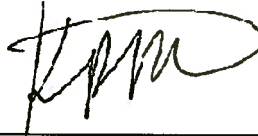
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|------------------|-------------------|---------------|------------------|
| Walbridge, OH | Foreman | Monday-Friday | 7:00PM – 3:00AM |
| | Machine Oper. "A" | Monday-Friday | 7:00PM – 3:00AM |
| Stanley Yards | Foreman | Monday-Friday | 7:00PM – 3:00AM |
| | Machine Oper. "A" | Monday-Friday | 7:00PM – 3:00AM |
| Selkirk, NY | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper. "A" | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |
| | Trackman | Monday-Friday | 9:00PM – 5:00AM |
| E. Syracuse, NY | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper. "A" | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |
| | Trackman | Monday-Friday | 9:00PM – 5:00AM |
| Frontier Yard | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper. "A" | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |
| Niagara, NY | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper. "A" | Monday-Friday | 9:00PM – 5:00AM |
| West Springfield | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper. "A" | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |
| Erie, PA | Foreman | Monday-Friday | 4:00PM – 12:00AM |
| | Vehicle Operator | Monday-Friday | 4:00PM – 12:00AM |
| Saybrook, OH | Foreman | Monday-Friday | 4:00PM – 12:00AM |
| | Vehicle Operator | Monday-Friday | 4:00PM – 12:00AM |
| Collinwood, OH | Foreman | Monday-Friday | 4:00PM – 12:00AM |
| | Vehicle Operator | Monday-Friday | 4:00PM – 12:00AM |
| Lodi, OH | Foreman | Monday-Friday | 4:00PM – 12:00AM |
| | Vehicle Operator | Monday-Friday | 4:00PM – 12:00AM |
| Lordstown, OH | Foreman | Monday-Friday | 4:00PM – 12:00AM |
| | Vehicle Operator | Monday-Friday | 4:00PM – 12:00AM |

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|-------------|-------------------|---------------|-----------------|
| Willard, OH | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper. "A" | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |
| Avon, IN | Foreman | Monday-Friday | 9:00PM – 5:00AM |
| | Machine Oper."A" | Monday-Friday | 9:00PM – 5:00AM |
| | Vehicle Operator | Monday-Friday | 9:00PM – 5:00AM |

1. Advertised assignments with the starting times and rest days as specified above may be established. Such assignments will form crews hereinafter be referred to as "Winter Night Gangs."
2. The Night Gangs will consist of not less than two (2) employees, and not more than four (4) employees, of which, one employee will be designated as Track Foreman.
3. The normal work week for the night gangs will be five (5) days a week. The hours of assignment will be as noted above with a paid one-half hour for lunch. The rest days will be Saturday and Sunday.
4. The night gangs will be governed by the Rules of the BMW Agreement, effective June 1, 1999, as amended, unless otherwise specified within this Agreement.
5. Employees assigned to a night gang will, in addition to their regular rate of pay, receive one dollar (\$1.00) per hour while assigned to the night gang. The one dollar (\$1.00) per hour will be rolled into the regular rate of pay. The premium pay will not be included for the purpose of GWI or COLA increases.
6. Any Night Gang employee, who is required to exercise seniority to a four (4) day assignment, will not lose pay as a result of moving from one assignment to another.
7. This Agreement may be canceled upon twenty (20) days written notice by either party.
8. This Agreement is based on the particular circumstances that exist at the specific locations identified above. It is understood that this Agreement shall establish no precedent value in any other forum, except as it relates to the enforcement of this Agreement.

Please indicate your agreement by signing your name in the space provided below.

Sincerely,



Rob Miller, Director Labor Relations

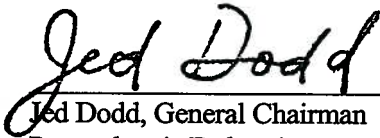
Accepted:



Dennis R. Albers, General Chairman
Allied Federation

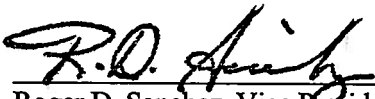


Edward W. Long, General Chairman
Consolidated Rail System Federation



Jed Dodd, General Chairman
Pennsylvania Federation

Approved:



Roger D. Sanchez, Vice President
BMWED