



Norfolk Southern Corporation
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Scott Michael Goodspeed
Director
Labor Relations
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AG-MW-2

Mr. J. E. Graham
General Chairman, BMWED
9835 South Avenue, Unit 2
Poland, Ohio 41154

Mr. A. Sessa
General Chairman, BMWED
421 North 7th Street, Suite 299
Philadelphia, Pennsylvania 19123

Gentlemen:

This refers to our previous discussions regarding the application to Rules 8 and 11 of the N&W-Wabash BMWED Agreement to the assignment of certain positions subject to the FRA Safety standards of 49 CFR Part 213. It is understood that all employees who do not currently possess an "FRA Card" will be required to attend and successfully complete the Carrier's FRA Competency Training Program currently located in Knoxville, Tennessee as a condition of remaining in such positions.

This will confirm our understanding that all such jobs on N&W-Wabash Agreement territory will be bulletined and awarded in accordance with Rules 8 and 11 of the July 1, 1986 N&W-Wabash Agreement. Any employee whose seniority entitles them to be awarded any such position pursuant to Rule 8, but who does not yet possess an FRA Card or equivalent evidence of competency will be awarded such position pending qualification under Rule 11, subject to the following:

1. The employee will be instructed not to perform Part 213 repair and inspection work and must refrain from performing such work, unless working under the direct supervision and instruction of a Part 213 designated qualified employee.
2. The employee who has applied for such position has expressed interest in obtaining the qualifications and has asked to attend the next available class in Knoxville prior to being awarded the position in question.
3. The employee has not been previously scheduled to attend the Carrier's FRA Competency Training Program and subsequently declined to attend for reasons other than (1) documented hardship reasons that involve the personal health of the employee, the personal health of an immediate family member, or other extenuating reasons agreeable by Norfolk Southern or their designee and the employee's respective General Chairman, or (2) Carrier action. (Note: Carrier actions include but are not limited to abolishment of positions, being displaced by a senior employee prior to completing training, the Carrier holding an employee on a previous position, and as a result the employee was not allowed to transfer to the awarded position, etc..) Hardship exceptions will be evaluated on a case by case basis.

4. The successful applicant will be scheduled to attend a class within 2-3 weeks of the effective date of the award and will not cancel or fail to attend for reasons other than identified in Paragraph 3.
5. The employee remains subject to the balance of the Rule 11 qualification period following the completion of the FRA Competency Training Program and return to the work location


Employees may request to attend the Carrier's FRA Competency Training Program at any time prior to being awarded a position by sending an email to EngineeringTraining@nscorp.com. Employees who do not have access to email or who prefer to make the request in person may do so in writing to his or her immediate supervisor. Positions that are subject to the requirements of Part 213 shall be advertised by bulletin which shall state the requirement that the applicant submit such request and will contain specific instructions for making such request. Assignment will made to employees on a seniority basis, subject to the requirements of service, except where space is required for a junior employee who has been awarded a position pending qualification in accordance with the above. Expenses will be paid in accordance with the Classroom Training Agreement- Appendix "C" to the July 1, 1986 Agreement.

Please indicate your concurrence with the above by signing in the spaces below and returning a copy to me for our records.


Very truly yours,



S. M. Goodspeed
Director Labor Relations


Jason Graham
General Chairman, BMWED
Anthony Sessa
General Chairman, BMWED

APPROVED:


Roger Sanchez
Vice President, BMWED