



BUILDING AMERICA®

October 25, 2021

Mr. Tony Cardwell
General Chairman, BMWED
333 East Broadway
Mayfield, KY 42066

General Chairman Cardwell,

This is in reference to our discussion concerning a mutual desire to maintain a high level of productivity and stability with Track Patrol work on the Canyon Subdivision. To this end, it is agreed to advertise and assign up to two (2) Lead Patrolman and up to four (4) Patrolmen positions on the Sacramento Division, Western District – Seniority Roster 7381 702) as restricted assignments, in accordance with the applicable provisions of the parties' December 31, 2003 (former Southern Pacific Western Lines) collective bargaining agreement except as modified as follows:

1. The Carrier will abolish and re-advertise the existing Lead Patrolman and Patrolman positions. The positions will advertise in accordance with the normal bulletin and assignment rules and shall identify as "Restricted Position" assignments. The effective date of abolishment will coincide with the effective date of the new assignment to minimize impact to Carrier operations.
2. Except as provided below, employees are required to remain on the assignment for a period of not less than twelve (12) months. An employee who elects to bid away following completion of the 12-month period shall be released within ten (10) calendar days after date of assignment, unless mutually agreed by the parties to extend such time.
3. If the newly assigned employee is already qualified, the current employee's release will coincide with the new employee's arrival. An employee assigned to a restricted position may bid to other positions within their 12-month restricted period so long as the effective date of such position is subsequent to the end of the restricted period.
4. Release from a restricted position may be allowed at any point for a documented hardship reason which involves the personal health of the employee; the personal health of an immediate family member; or for documented extenuating reasons. Agreement between the designated Engineering Department representative and the General Chairman is required for release. If released from a restricted position, the employee is permitted an exercise of seniority pursuant to the terms of the collective bargaining agreement.


5. Only a qualified senior employee who has been displaced from a restricted position, or whose restricted position has been abolished, may displace onto a restricted position.
6. Employees assigned to the restricted positions shall receive the following hourly rate of pay:
 - a. Lead Patrolman (PPC 617): \$31.50
 - b. Patrolman (PPC 618): \$29.43
7. The above-listed restricted positions shall receive an additional \$1.50 per hour differential for all compensated hours worked. This differential allowance is not subject to general wage increase or cost of living adjustment.

It is understood this agreement does not alter existing rights, practices, or interpretations. All other CBA provisions remain unchanged, and this agreement is made without prejudice to the position of either party. If the foregoing correctly sets forth the parties' understanding, please sign in the space provided below.

Respectfully,

Derek E. Hinds
Director, Labor Relations


Agreed:



General Chairman, BMWED

11/23/2021
Date:

Approved:



Vice President, BMWED

11/14/2021
Date: