

# UNION PACIFIC RAILROAD COMPANY

Beth Wilderman  
Director, Labor Relations



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## BUILDING AMERICA

September 8, 2016

BRENT C. LEONARD  
GENERAL CHAIRMAN SMART 953  
5990 SW 28<sup>TH</sup> STREET SUITE "F"  
TOPEKA, KANSAS 66614

RE: Extension of Pre-approved Single Vacation and Personal Leave Days Pilot

Dear Mr. Leonard:

This is in reference to the Pre-approved Single Vacation and Personal Leave Day Pilots which began on December 14, 2015 and January 6, 2016 for various territories under your Committee's jurisdiction. The letters of understanding signed by the parties containing the terms governing those pilots stated that they were for durations of 180 days unless extended by mutual agreement of the parties. As we have discussed, the parties agree to continue these pilots indefinitely for all locations on the UPED and Oregon territory under the same terms agreed upon in those letters, in addition to the following:

- 1) Portland Zones 2 and 3 are included in the pilot and will have access to the pre-approved leave program under the same terms as all other locations. Crew Management will be responsible for coordination and communication with the Local Committees in Portland Zones 2 and 3 beginning the date this letter is signed and returned to this office.
- 2) Employees assigned to boards such as daily preference boards, training boards, pilot boards, peer trainer boards, bump boards or any other boards not covered by a protecting extra board are not eligible to request compensated days in the Employee Availability Management System (EAMS) while assigned to such boards due to the limitations of the system.
- 3) An employee will be required to be in active status when activating pre-arranged compensated days. All approved consecutive days of the same type of leave shall be activated at the same time. At this time the EAMS is unable to activate two different types of compensated service at the same time. It will be necessary to activate personal leave days following single vacation days after the completion of the single vacation days when they are consecutive. The same will apply to single vacation days that consecutively follow personal leave days.

- 4) The parties recognize that an employee who switches to an assignment that is not eligible for PL Days after being assigned a pre-arranged PL Day under this letter of understanding will not be granted the pre-arranged PL Day if it was scheduled to occur while on the subsequent assignment. The Parties agree that an employee who triggers this change in status will be allowed to change the PL Day to a Single Vacation Day provided he/she has any single vacation days left. It is incumbent upon the employee to contact CMS prior to the leaving the PL Day eligible job in order to be eligible to make this change. In case there are no Single Vacation Days available to the employee, the PL Day will be removed from the schedule and the day will be open for use by other employees under this agreement.

For ease of reference, the terms contained in the prior pilot letters are included here:

The pilot will operate under the current parameters set forth by Crew Management to include the following:

- 1) Employees may take up to (6) consecutive days of paid personal leave and/or paid single vacation days. Requests will be approved on a first come/first serve basis manpower needs permitting.
- 2) Personal Leave and/or Single Vacation Day requests may be made between (48) hours and 120 days (rolling period) in advance of the day(s) requested.
- 3) Employee cancellation of pre-approved days must be made no later than (72) hours ahead of the scheduled day(s).
- 4) Personal Leave and/or Single Vacation Days that are approved in the system and within the parameters established by CMS will not be cancelled by the Carrier.
- 5) Once approved, the scheduled day(s) must be taken. The employee will be required to "activate" the personal leave and/or single vacation day on the day it is scheduled. An employee who fails to "activate" the approved day(s) may no longer be permitted to participate in the pilot project.

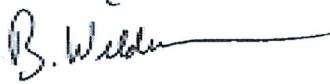
NOTE 1: An employee may advance or defer the start of his/her approved day(s) by (16) hours to accommodate a change in work schedule.

The programming put in place by CMS to assist with pre-scheduling time off is still in its developmental stages with enhancements and modifications that will remain on-going during any pilot phase with your Committee. It is further understood no time claims will be filed or progressed regarding any aspect of the pre-approved layoff process, nor will the Carrier be subject to any liability in connection with this pilot project. Should an issue of concern or dispute arise regarding this pilot project, the matter will be addressed promptly between the General Director Crew Management (or her designee), the Director Labor Relations, and the General Chairman.

This pilot may be cancelled by either party with fifteen (15) days advance written notice. If such notice is served by either Committee or by the Carrier, the involved parties will meet prior to the effective cancellation date and attempt to resolve any issues/disputes that led to the cancellation notice. Any remaining days requested and approved at the time of the cancellation will be honored. Requests will not be accepted after a notice of cancellation has been served. The parties further commit to work together to process and handle any remaining pre-approved days with the least amount of disruption to service and manpower needs.

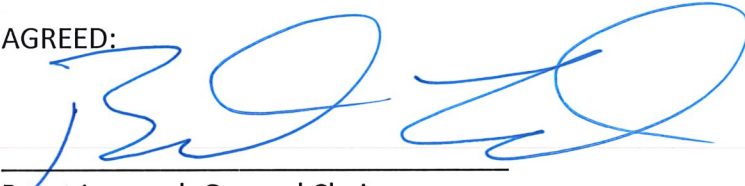
If this adequately reflects our understanding of the continuation of the pilot project involving the pre-approval and scheduling of paid personal leave and single vacation days, please indicate your concurrence in the space indicated below.

Sincerely yours,



Beth Wilderman

AGREED:



Brent Leonard, General Chairman  
UPED SMART-TD

Date

10/3/17