

BROTHERHOOD OF LOCOMOTIVE ENGINEERS

Union Pacific Railroad Company - Western Region
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T. J. Donnigan
General Chairman

May 30, 2002
22047

Mr. C. B. Sherrow
Vice Local Chairman – Division 362
1900 Vincent Lane
Hermiston, Oregon 97838

Mr. A. J. Bakker
Local Chairman – Division 362
845 West Division
Hermiston, Oregon 97838

Brothers Cary and Andy,

Regarding questions and concerns from Brother Sherrow pertaining to the use of extra engineers to protect hostling vacancies at Hinkle, Oregon and a settlement of a number of associated claims regarding same, this matter was discussed at length with Directors of Labor Relations S. F. Boone and T. G. Taggart during conference in Omaha, Nebraska May 21, 2002.

Attached, please find copy of Letter of Understanding entered into by the parties on or about March 5, 1992 settling those outstanding claims of record in exchange for Carrier's right to use engineers for hostling vacancies throughout our WRGCA which reads in part as follows:

“This letter confirms understanding reached in conference held February 5, 1992 in your office with respect to Extra Board Engineers utilized to protect hostler vacancies.

As agreed in conference and now reiterated by this letter, Extra Board Engineers so utilized will not have the compensation received from this service utilized to off-set any guarantee from the extra board. When such extra engineers are utilized, his/her earnings for this service will be above and beyond any guarantee that may be due that employe for the particular month in questions.

In making this understanding, your Organization in turn was to remove all pending cases on this matter, with settlement of each based upon the above commitment. In that regard, a listing of such cases with this understanding from you [sic] Organization will be forthcoming.

If all of the above properly reflects the full settlement of this dispute, please execute in the space provided below returning the original to my office. Be advised however that if execution and receipt of this understanding is not made by April 1, 1992, it will be withdrawn by the Carrier.”

Upon my return to the office, thorough research of the file was completed and the 1992 agreement verified, see attached WRGCA's internal copies of the Agreement signed by then General Chairman D. L. Stewart on or about March 5, 1992, September 29, 1992 letter to Manager of Timekeeping T. M. Holmes, October 12, 1992 letter addressed to then Vice Local Chairman R. C. Hawker, and Carrier memo dated October 27, 1992 listing numerous claimants and claims totaling some \$37,783.60 paid by manual checks first half payroll November 1992. The record further indicates the parties reached settlement in lieu of presenting the dispute before Public Law Board 4450 listed as Case No. 17.

In light of the attached material, I trust this will answer any remaining questions or concerns.

Fraternally yours,

T. J. Donnigan

cc: J. L. Dayton – Vice Chairman, WRGCA
J. M. Chambers – President, Division 362