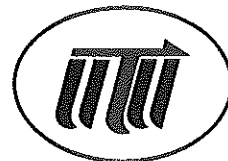


**united**  
**transportation**  
**union**



**J.R. WILLIS**  
General Chairman

**ED WEATHERS**  
Assistant Chairman

**TRACY ADAMS**  
Vice Chairman

**DALE BARNETT**  
Secretary

3560 Cardinal Point Drive  
Suite #103  
Jacksonville, FL 32257  
Phone: (904) 733-1250  
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GENERAL COMMITTEE OF ADJUSTMENT  
CSX Transportation (L.& N. Proper)  
CRR • NC&StL

October 27, 2010

**UTU File: C-5.28**

Mr. Myron Becker  
Director of Labor Relations  
CSX Transportation, Inc.  
6735 South Point Drive S, J-455  
Jacksonville, FL 32256

Dear Sir:

Reference to your letter dated October 22, 2010, and the Interpretation of the Arbitrator dated October 22, 2010, both of which were received in this office yesterday.

This interpretation was requested by both parties last week based upon the Carrier's advice to me that it was their intent to remove employees from no-bid blankable positions based upon the language in the Arbitrator's decision selecting the CSRA for the coordinated territory

Be advised that this interpretation at present only allows the Carrier to remove brakemen or switchmen from positions that had previously gone no-bid. It does not allow for the abolishment of these brakeman or switchman positions per recent CMC messages or as contained in your letter.

While the Arbitrator's decision allows for their removal in this particular instance, the provisions of Crew Consist concerning blankable positions remain unchanged, i.e., protected employees not needed on must-fill may claim blankable positions. In addition, reserve pool positions or other must fill positions must be created at locations where there is an excess of protected employees. Further, I am being advised that the positions scheduled to be removed by CMC as allegedly having gone no-bid is incorrect in many instances and I have provided your office with that information. Some of these positions were also previously listed as never having gone no-bid by CMC but are now advised that a CMC review indicates otherwise.

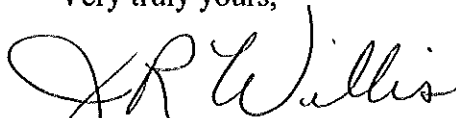
Mr. Myron Becker  
October 27, 2010  
Page 2

Re: UTU File C-5.28

I appreciate the prompt payment of the \$1,000.00 lump sum and 6<sup>th</sup> week of vacation and I have no objection to the offer of reserve status as provided under the CSRA. Should the Carrier proceed with the removal of employees from no-bid blankable positions we would of course expect the rates of pay provided for in Article 45 to be implemented.

I suggest that we meet as soon as possible in order to resolve the various questions that have come to this office as a result of the CSRA implementation.

Very truly yours,



J.R. Willis  
General Chairman, UTU

JRW:emd

Cy: John Previsich, Vice President, UTU  
All L&N Local Chairmen



Myron W. Becker  
Director-Labor Relations

Writer's Direct Contact Information:  
Phone: (904) 359- 3524  
Fax: (904) 359- 4815  
E-Mail: Myron\_Becker@csx.com

October 22, 2010

Mr. J. R. Willis, General Chairman  
United Transportation Union  
3560 Cardinal Point Drive – Suite 103  
Jacksonville, FL 32257

Dear Johnny,

The following confirms our discussions concerning the implementation of the Consolidated Southern Region Agreement and the parties compliance with the October 15, 2010 - Twomey Award and subsequent October 22, 2010 Twomey - Interpretation Award; and our agreed upon application of items contained in paragraphs one thru four below:

1. In accordance with the provisions Article 5, Section 3 Lump Sum of the CSRA, the Company will issue the \$1000 lump sum payment to eligible employees who were in active service on October 25, 2010, on the dates identified below.
2. The Company will issue payment in lieu of the sixth (6) week of vacation provided for in Article 29, Vacation Summary Agreement, to eligible employees on the following dates:
  - October 29, 2010 – for employees not affected by a Garnishment.
  - November 5, 2010 – for employees affected by a Garnishment.
3. In accordance with Side Letter 8 and Attachment C of the Consolidated Southern Region Agreement, effective November 1, 2010, CSXT will issue a System Bulletin to “crew consist protected” L&N and NC&StL providing eligible employees the opportunity to apply to be placed into reserve status.
4. Rates provided for in Article 45 Road Switcher/Mine Runs, paragraph C., will be placed into effect retroactive to October 25, 2010.

In addition to the foregoing, the Company also advised that it will be implementing the terms and conditions outlined in the Consolidated Southern Region Agreement effective October 25, 2010. The following is an update concerning some of the changes currently underway to accomplish in a timely manner:

Article 7 – Crew Consist	The Operating Department is currently reviewing their requirements and will make a determination concerning Brakemen positions identified on the Attachment to the October 22, 2010 Twomey Interpretation Award by October 25, 2010. Brakeman positions not required will receive appropriate notice advising of abolishment.
Article 9 – Demand Days Off	Eligible trainmen may request demand days in the 1st quarter 2011.
Article 11 – Electronic Bid System	The Company is anticipating the provisions of Article 11; Electronic Bid System (EBS) will be implemented fully during the first quarter of 2011. Information sessions will be conducted with Local Chairman and educational material concerning the application of this System will be provided to all employees prior to implementation.
Article 16 – Marking Off / Marking Up	<ul style="list-style-type: none"> <li>• In the interim and subject to the completion of additional programming, trainmen may request early layoff / delay markup under the provisions of the SSA engineer agreement.</li> <li>• Pool trainmen may drop their turn once in a bi-weekly period.</li> <li>• 12 hour minimum time off.</li> </ul>
Article 20 – Personal Leave Days	Trainmen may schedule personal leave or daily vacation 21 days in advance.
Article 25 - Seniority	Establish consolidated rosters – CSXT will advise when these rosters will be complete.
Article 28 – Utility Assignments	All Bleeder positions will be converted to Utility positions and will be thereafter governed by the provisions of Article 28. In the event positions are abolished or established, notice will be provided as provided for in the CSRA.
Article 29 – Vacation Agreement	<ul style="list-style-type: none"> <li>• 2011 Weekly vacation open for bid until 11/30/2010.</li> <li>• 2011 Weekly vacation commences on SAT – 0001.</li> </ul>

<p>Article 30 – Away from Home terminal Expenses – Held Away</p>	<ul style="list-style-type: none"> <li>• Compensation for HAHT will begin after 15 hours.</li> <li>• Not applicable until EBS fully implemented.</li> </ul>
<p>Article 33 - Calling</p>	<p>Trainmen will receive a 2 - hour call to work, 3 hour call to work in ID service.</p>
<p>Article 37 - GEB – concurrent with conversion to 6/1</p>	<ul style="list-style-type: none"> <li>• All Extra boards will be converted to 6/1 extra boards in accordance with the terms and conditions provided for in Article 37.</li> <li>• Extra board Trainmen may drop their turn once in a bi-weekly period.</li> <li>• 12 hour minimum time off.</li> <li>• Extra board trainmen must observe rest days.</li> </ul>
<p>Article 43 – Mileage Regulation – Freight Service</p>	<p>Regulating factors for pool adjustments will be updated on November 11, 2010.</p>
<p>Article 46 - Runaround</p>	<p>When either operating or deadheading Trainmen working in unassigned pool freight service (on a first-in and first-out basis) who are run around on line of road by another Trainman in the same pool, will upon his arrival back at his home terminal be placed back or regain his same relative standing in that pool.</p>
<p>TECS Updates that will be effective October 27, 2010 – 0001</p>	<ul style="list-style-type: none"> <li>• Rest days, personal leave and vacation layoffs are effective at 0001.</li> <li>• Auto markup from personal leave and daily vacation will now reflect 2201 for on duty at 0001.</li> <li>• Auto markup from rest day at 0001 for on duty at 0200.</li> <li>• Trainmen who are out of the terminal at the time that personal leave or daily vacation is scheduled to begin may elect not to observe the scheduled days up to one hour after arrival at the home terminal.</li> </ul>

I trust the foregoing addresses our discussions surrounding the implementation of the Consolidated Southern Region Agreement on the former L&N and NC & StL. If you have any questions concerning the above, please contact me at your earliest convenience.

Sincerely,



Myron W. Becker,  
Director Labor Relations  
Southern Region , CXT

CC: M. Pendergrass, VP Operations, Southern Region Operations, CSXT  
D. Ingoldsby, AVP Labor Relations, CSXT  
T. Flanley, AVP, CMC, CXT  
J. Mosley, Manager Labor Relations, CXT  
C. Magennis, Director Payroll, CXT

John Previsich, Vice President, UTU  
Robert Kerley, Vice President, UTU  
John C. Hancock, General Chairman UTU  
Randy A. Pullen, General Chairman, UTU  
Jim R. Townsend, General Chairman, UTU

**In The Matter of the Arbitration** )  
**-between-** )  
**UNITED TRANSPORTATION UNION** )  
**-and-** )  
**CSX TRANSPORTATION, INC.** )

Special Board of Arbitration Established To Dispose Of a Dispute Regarding The  
Selection Of A Single Collective Bargaining Agreement Pursuant To UTU/NCC  
Agreement of February 11, 2000

David P. Twomey  
Arbitrator

**Interpretations to the October 15, 2010 Award.**

Subsequent to the issuance to the Special Board of Adjustment Award dated October 15, 2010, the parties raised two additional questions for interpretation, the questions and answers are as follows:

**Interpretation Number 1.**

Q.1 In compliance with the October 15, 2010 Arbitration Award specifically Item II, paragraph 1, the Company has identified brakeman positions on the former L&N and NC&StL that have previously gone "no-bid". Upon implementation of the Consolidated Southern Region Agreement, does the Company have the option of eliminating those brakeman positions identified as having gone no-bid on the attachment hereto?

A.1. Yes.

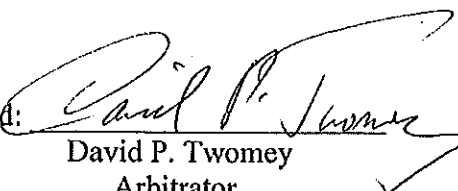
**Interpretation Number 2.**

Q.2. If the Answer to Q.1. is in the affirmative, how is the Company guided with respect to the elimination of any remaining brakeman positions?

A.2. The following are possible options available to eliminate remaining brakeman positions:

- (i) Normal attrition.
- (ii) When one of the remaining positions goes no-bid by a "crew consist protected employee".
- (iii) As provided for in the Consolidated Southern Region Agreement, Side Letter 8, paragraph A.2.

Signed:

  
David P. Twomey  
Arbitrator

Dated: 10-22-2010



## Attachment to October 15, 2010 Interpretation Award

Number	Div	Assignment	DistSub	Job	Road	Description	Name	Empno	No Bid	Terminal	Date
3	HU	APCVFP	APCV	E/N Trains	LN	Coal Train Pool	Reece D	191935	Yes	Corbin	
4	HU	APCVFP	APCV	E/N Trains	LN	Coal Train Pool	Hill	192709	Yes	Corbin	
5	HU	APCVFP	APCV	E/N Trains	LN	Coal Train Pool	Burnett	193109	Yes	Corbin	
6	HU	APCVFP	APCV	E/N Trains	LN	Coal Train Pool	Scalf	193087	Yes	Corbin	
7	HU	APCVFP	APCV	E/N Trains	LN	Coal Train Pool	Taylor	192762	Yes	Corbin	
8	HU	APCVLC800	APCV	C800	LN	CORBIN ROAD SWITCHER	Martin	192030	Yes	Corbin	9/15/2009
9	HU	APDAM3pool	APDA	F890	LN	Nora Turn	Salyers	609521	TBD	Dante	
10	HU	APDAM4pool	APDA	F893	LN	Elkhart Turn	Jones	609599	TBD	Dante	
11	HU	APDAM5pool	APDA	F892/4/6/8	LN	Shelby Turns	Yates	609527	TBD	Dante	
12	HU	APDAM5pool	APDA	F892/4/6/8	LN	Shelby Turns	Hefton	197303	TBD	Dante	
14	HU	APERYY101	APER	Y101	LN	MF 1ST TRICK 1ST JOB	Chapman	197299	Yes	Erwin Yd	9/17/2009
15	HU	APERYY203	APER	Y203	LN	MF 2ND TRICK 3RD JOB	Allen	609839	Yes	Erwin Yd	9/27/1997
16	HU	APERYY305	APER	Y305	LN	MF 3RD TRK 5TH YARD	Bennett	609880	Yes	Erwin Yd	7/25/2008
18	HU	APKDY101	APKD	Y101	LN	KNOX- YARD YM-WKN	Eggers	193395	Yes	Knoxville	10/20/2010
20	HU	APKPY123	APKP	Y123	LN	P 2ND YARD JOB	Dickenson	609907	Yes	Erwin/Kingsport	7/25/2008
21	HU	APKPY226	APKP	Y226	LN	MF 2ND YARD JOB	Bailey	609738	Yes	Erwin/Kingsport	4/26/2010
22	AT	ATATYY121	ATAT	Y121	LN	LN ROUNDHSE T11	Smith III	170761	Yes	Atlanta	6/16/2010
23	AT	ATATYY131	ATAT	Y131	LN	AJ HULSEY YM-T14	Odem Jr	609611	Yes	Atlanta	10/14/2008
24	AT	ATATYY132	ATAT	Y132	LN/SCL	LN HULSEY YM-T14	Holden	197400	Yes	Atlanta	
25	AT	ATATYYR41R	ATAT	YR41R	LN/SCL	SC Relief	Hill	208811	Yes	Atlanta	9/25/2010
26	AT	ATATYY231	ATAT	Y231	LN	LN HULSEY T14	Hightower	378375	Yes	Atlanta	
27	AT	ATATYY331	ATAT	Y331	LN	AJT HULSEY YM-T14	Lewis	227747	Yes	Atlanta	9/18/2010
28	AT	ATBMLM719	ATBM	M719	LN	BROOKWOOD	Long	193600	Yes	Birmingham BM	9/20/2010
29	AT	ATBMA4Pool	ATBM	M803	LN	M803 pool	Duck	377651	TBD	Birmingham BM	
30	AT	ATBTYY117	ATBT	Y117	LN	BNSF RDHO YM-BOY LN	Rooker	191850	Yes	Birmingham Terminal	2/1/2008
31	AT	ATBTYY123	ATBT	Y123	LN	MF SOUTH YARD YM-BO2	Moss	192276	Yes	Birmingham Terminal	1/6/2008
32	AT	ATCALA703	ATCA	A703	LN	B1 BLKABLE ATL SWIT	Weldman III	197388	Yes	Cartersville	2/1/2008
33	AT	ATCAY120	ATCA	Y120	LN	MF-2-15-05 YM-CAR	Chastain	192686	Yes	Cartersville	2/11/2010
34	AT	ATCAY122	ATCA	Y122	LN	M/F YARD JOB YM-CAR	Johnson	193900	Yes	Cartersville	6/8/2007
36	AT	ATFLLM701	ATFL	M701	LN	GEORGIANA SWR BK/B	Lowe	192955	Yes	Flomaton	4/23/2007
37	AT	ATFLLM703	ATFL	M703	LN	P- LOCAL	Johnson	197192	Yes	Flomaton	9/5/2007
38	AT	ATFLLM704	ATFL	M704	LN	M704 BREWTON SWR	Mize	197133	Yes	Flomaton	8/20/2007
39	AT	ATKALA704	ATKA	A704	LN	A704 TURN 00C379	Garrett	194810	Yes	Etowah/Atlanta	8/20/2007
40	AT	ATKALA718	ATKA	A718	LN	A718 00C334 T 00C422	Crady	192989	Yes	Etowah/Atlanta	11/20/2007
41	AT	ATMMLM700	ATMM	M700	LN	GEORGIANA	Graham	193799	Yes	Montgomery/Mobile/Pensa	10/2/2007
42	AT	ATMOLM724	ATMO	M724	LN	THEODORE SWITCHER	Evans	193185	Yes	Mobile/New Orleans	10/26/2007
43	AT	ATMTYR20R	ATMT	YR20R	LN	2nd Shift relief	Moncrief	193773	Yes	Montgomery Yard	7/8/2007
44	AT	ATMTYY120	ATMT	Y120	LN	LN/EN IND	Patterson	192878	Yes	Montgomery Yard	1/5/2008
46	AT	ATNOYY103	ATNO	Y103	LN	MF YD SWITCHER YM-GEN	Giarrusso	197158	Yes	New Orleans	10/15/2010
47	AT	ATSMML721	ATSM	M721	LN	M721 Calera	Elison	194850	Yes	Birmingham SM	10/28/2007
49	NS	CGATLJ825	CGAT	J825	LN	ATKINSON#1 ROAD SWR	Overton	191481	Yes	Evansville/Nashville	1/120/08
52	NS	CGNAYY101	CGNA	Y101	LN	ROUBT #1 @ BOWL RA1	Cook	192871	Yes	Nashville Yard	4/20/2010
53	NS	CGNAYY201	CGNA	Y201	LN	ROUBT #4 @ BOWL RA0	Goodrich	182312	Yes	Nashville Yard	1/10/2008
54	NS	CGNAYY222	CGNA	Y222	LN	KAYNE AVE YM-RA3	Ford	193409	Yes	Nashville Yard	1/18/2008
55	NS	CGNAYY223	CGNA	Y223	LN	MF BOWL YM-RA1	Brim Jr	192285	Yes	Nashville Yard	12/21/2007
56	NS	CGNCLM792	CGNC	M792	LN	M792 BRUCETON	King	192977	Yes	Nashville/Chattanooga	3/10/2010
57	NS	CGNCLM798	CGNC	M798	LN	DuPont	Tummins	191995	Yes	Nashville/Chattanooga	10/5/2010
58	NS	CGNDLM781	CGND	M781	LN	Oakworth	Morton	193003	Yes	Nashville/Birmingham	10/18/2007
59	NS	CGNDLM786	CGND	M786	LN	MF - N&D LOCAL	Davison	191291	Yes	Nashville/Birmingham	3/10/2010
60	NS	CGPMLM790	CGPM	M790	LN	LEEWOOD Turn	Perkins	193839	Yes	Bruceston/Memphis	10/15/2008
61	NS	CGPMLM791	CGPM	M791	LN	Bruceston M791	Walkins	193795	Yes	Bruceston/Memphis	10/24/2007
62	NS	CGPMYY101	CGPM	Y101	LN	JACKSON YD YM-JAT	Bomar	192734	Yes	Bruceston/Memphis	10/19/2008
63	NS	CGSNLM788	CGSN	M788	LN	MF CULLMAN SWITCHER	Rigsby	194821	Yes	Birmingham/Nashville	3/10/2010
64	HU	HUEKLC841	HUEK	C841	LN	MF C841 0100 MINE UN	Coots	193833	Yes	Hazard	3/16/2008
65	HU	HUEKLC843	HUEK	C843	LN	MF C843 0530 MINE	Goosey	193523	Yes	Hazard	5/4/2007
66	HU	HUEKLC850	HUEK	C850	LN	MF C850 2300 MINE	Brashear	193768	Yes	Hazard	3/28/2010
67	AT	JXPDLM733	JXPD	M733	LN	MF-M733 LOCAL	Brown	193876	Yes	Pensacola	3/25/2010
68	JX	JXPDLM735	JXPD	M735/736	LN	Chatta Local: Pool	Hawthorne	193568	TBD	Pensacola	
69	LO	LOMSLJ760	LOMS	J760	LN	MF-GALLATIN SWR 159	Booth	193779	Yes	Louisville MS	10/2/2007