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GENERAL COMMITTEE OF ADJUSTMENT
CSX Transportation (L.&N. Proper)
CRR • NC&STL

February 17, 2012

UTU File: L-20 - Loyall/Erwin Service

Mr. Myron Becker
Director of Labor Relations
CSX Transportation, Inc.
6735 South Point Drive South, J-455
Jacksonville, FL 32216

Dear Sir:

Reference to your letter dated February 9, 2012, wherein you advised that service currently operating between Loyall, KY and Erwin, TN, will now be run from Loyall with Loyall crews and will now terminate at Kingsport, TN. You further indicate that as part of the modification of the above referenced service you also serve notice to extend the switching limits Kingsport, TN through Frisco, TN, up to the point where CSXT enters Norfolk Southern territory.

Be advised that I would have no objection to the extension of yard switching limits if it were to provide service by yard crews to customers between Kingsport and Frisco as was intended by Article 58 of the CSRA. Instead, it appears that the notice has nothing to do with switching, which is the basic purpose of the rule, but an attempt to abrogate the provisions of the Loyall/Erwin Coordination agreement of April 18, 1985.

However, without waiver of the above, it was agreed on July 2, 1987, to extend the switching limits from mile post 90.4 to mile post 86.5 upon the company's request to extend the limits *to provide efficient and adequate interchange and switching service to the industries encompassed by the proposed extended limits.*

This agreement further specified that *it is understood this agreement does not alter other agreement rules except to the extent necessary to fulfill the terms of this agreement.*

The extension of the yard switching limits by agreement of July 2, 1987, therefore prohibits the use of the extension of yard switching limits as a means to circumvent other agreement rules specifically those provisions of the April 18, 1985 Loyall//Erwin Coordination Agreement.

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This agreement sets forth how road train crews will work in the coordinated territory and can only be changed in accordance with the Railway Labor Act. Switching limits have no bearing on the previously agreed to provisions of the Loyall/Erwin Coordination.

Any changes to the Loyall/Erwin Coordination must be negotiated. The service you propose will still run over a portion of the former CRR regardless of any changes to switching limits. The former CRR would therefore be entitled to an equity in these runs. Your notice to now make this service divisional as proposed is without agreement support.

You also indicate that the proposed changes would provide operating efficiencies to the service since trains were being re-crewed 80% of the time. I fail to see how any operating efficiency can be obtained when you now propose to use two crews for both loaded and empty traffic in each direction.

I am concerned that the Carrier has served notice to use an Article of the CSRA for other than its intended purpose in attempt to abrogate an agreement rather than request a meeting to discuss the issue in an attempt to resolve the matter in a mutually agreeable manner.

Be advised that your notice to change the Loyall/Erwin service established pursuant to the April 18, 1985 Coordination Agreement is contrary to the provisions of that agreement or any established practice or agreement provisions regarding a similar service. Therefore, I request that we meet immediately to discuss this anticipated violation of the agreement.

Please advise of a date and time of your availability.

Very truly yours,



J.R. Willis
General Chairman, UTU

JRW:emd

Cc: Robert Kerley, Vice President, UTU
Randy Pullen, General Chairman, A&WP
J.R. Townsend, General Chairman, C&O
John Whitaker, General Chairman, SCL
Jeff Barton, Local Chairman, L. 1310
Phil Terry, Local Chairman, L. 1312
Matt Thornton, General Chairman, BLE
David Ingoldsby, AVP-Labor Relations, CSXT
Jim Mosley, Manager-Labor Relations, CSXT
Bob Frulla, Division Manager, CSXT