



Norfolk Southern Corporation  
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D. L. Kerby  
Assistant Vice President  
Labor Relations  
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December 2, 2016

AG-MW-2

Messrs. J. E. David, General Chairman, BMWED  
J. Dodd, General Chairman, BMWED  
E. W. Long III, General Chairman, BMWED

Gentlemen:

This will confirm our discussions concerning the differences that have arisen regarding the meaning of the language and the historical application of Rule 17 of the July 1, 1986 NW-Wabash Agreement. In order to dispose of these ambiguities, the parties agree that the current language of Rule 17 of the July 1, 1986 N&W-Wabash Agreement is replaced with the following:

#### **RULE 17 - RESTORATION OF POSITIONS**

A) When the Carrier abolishes or cuts off bulletined positions with the intent of restoring them within 110 calendar days, employees assigned to such positions may be recalled to their restored position, pursuant to the terms described below, in lieu of re-bulletining such as new positions. However, the five (5) days' notice of any such abolishment or cut off given in a written Notice of Release from Position to the affected employees shall expressly state that such release is in accordance with this Rule.

B) Employees who are notified that their position is being cut off or abolished in accordance with this Rule shall have the option to:

- 1) Take temporary voluntary furlough until their position is restored (such employees are not subject to recall to other positions while on this furlough awaiting restoration of their position);
- 2) Choose to work a temporary vacancy, offered to them at the discretion of the Carrier, until their position is restored (upon being released from temporarily working this vacancy prior to restoration of their position such employees assume the remainder of their voluntary furlough); or
- 3) Exercise seniority pursuant to Rule 14, wherein their restored position will be bulletined pursuant to Rule 8 instead of recalling them to fill it.

C) Employees who choose to take voluntary furlough shall return to their former position when restored; unless, subsequent to going furlough under this provision, a senior employee displaced them to, thereby, assume the remainder of their voluntary furlough and obtain the recall to the position once restored. Employees who are displaced while on furlough under this Rule may, within ten days of being displaced, exercise seniority pursuant to Rule 14.

D) Employees recalled to positions restored under this Rule must return to such position within ten (10) days to avoid forfeiture of their seniority.

E) Employees who choose to exercise their seniority to obtain another position, at any time after their position is abolished or cut off, before such position is restored under this Rule shall not be recalled to their restored position; instead, the restored positions formerly held by such employees shall be advertised as new positions in accordance with Rule 8.

F) If positions cut off or abolished pursuant to this Rule are not restored by the end of 110 calendar days, affected employees must, within ten days of the expiration of 110 calendar days, exercise available displacement rights, pursuant to Rule 14, to another position in order to protect their seniority.

G) The parties recognize that there may be special circumstances which may arise as to the intent and application of this rule in individual cases. If so, the General Chairman may handle with the highest designated officer of the Carrier.

If the above is consistent with your understanding, please indicate your concurrence below.

Very truly yours,

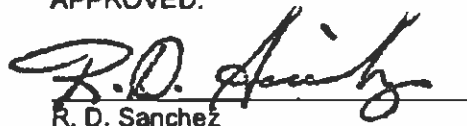


D. L. Kerby  
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Agreed:

  
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J. E. David  
General Chairman, BMWED  
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J. Dodd  
General Chairman, BMWED  
\_\_\_\_\_  
E. W. Long III  
General Chairman, BMWED

APPROVED:

  
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R. D. Sanchez  
Vice President, BMWED