

MEMORANDUM OF AGREEMENT

Between
BNSF Railway
And
SMART-TD

In a joint effort to provide predictable time off to trainmen in unassigned service, the following fatigue mitigation agreement is program to at locations listed on Attachment A to this Agreement as follows:

Six (6) Starts followed by Elective Rest Period

- A. Trainmen in the selected pool(s) who accumulate six (6) consecutive starts (including deadheads) will be afforded the option booking of thirty-six (36) or seventy-two (72) hours rest.
 - i. It is understood that if the trainman is at the away-from-home terminal following their sixth (6th) start, they will be afforded the option of thirty-six (36) or seventy-two (72) hours rest at the home terminal after their seventh (7th) start.
 - ii. Flip trips/STAS trips count as one (1) start.
 - iii. Any trainman who chooses not to book extra rest will not be afforded the opportunity again until an additional six (6) consecutive starts have been accumulated (i.e., 6, 12, 18, etc.).
 - iv. Any lay off event, paid or unpaid, that takes place will result in the trainman's start count being reset to zero (0). For purposes of this agreement only, having over twenty-four (24) hours off between starts will not reset the count.

- B. SMART-TD and BNSF will work together to ensure that the pool is properly staffed to accommodate the implementation of this pilot agreement so that no manpower shortages occur as a result.

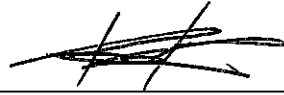
This agreement shall take effect on March 5, 2024 and shall remain in effect until modified or changed in accordance with the provisions of the Railway Labor Act, as amended.

For BNSF Railway Company:



Melissa Beasley-Coke
AVP, Labor Relations

For SMART-TD:



Kevin Kime
General Chairman, SMART-TD



Andrea Smith
General Director, Labor Relations