



BLET and SMART-TD  
General Committees of Adjustment  
BNSF Railway Company



August 14, 2020

Mr. Salvatore Macedonio  
Assistant Vice President  
Labor Relations  
BNSF Railway Company  
PO BOX 961030  
Fort Worth Texas 76161-0030

Re: Coaching and Counseling - High Impact Days

Dear Mr. Macedonio:

This letter is in response to the email sent by BNSF Director of Labor Relations Andrea Smith received by the BLET and SMART-TD General Committees on August 10, 2020. The email was to inform the labor unions that BNSF would be sending out letters to its employees that had been identified to have frequent and pattern layoffs on “high impact” days. The email suggests that due to these frequent and pattern layoffs, BNSF could not meet it’s customer’ expectations and that an unfair burden was placed on the other TY&E employees who were marked up and available.

BNSF has continually looked for ways to blame its managerial inadequacies on the TY&E workforce, this is just another example of such. BNSF is again imposing an unfair labor practice on its TY&E employees without a clear and concise policy to follow. Additionally, BNSF has determined that a number of days throughout the year, mostly family friendly days, are high impact days. Without setting a clear policy, employees will not know what these high impact days are or when BNSF has added to them.

We have continually suggested that if BNSF wants to have as many employees available on holidays or “high impact” days, it should look at the inadequacies or lack of holiday pay and address it. BNSF refuses to incentivize working on the holidays or weekends but in reality, has given more reason for TY&E employees not to work the holidays. These reasons include poor lineups, denial of reasonable vacation and personal leave requests, excessive held away from

home terminal times during holidays, excessive on duty times and denied holiday pay claims but most of all the neglect of agreements that were negotiated in good faith and signed by all parties involved.

BNSF has created this new process to get more work out of less people, that is crystal clear. It has nothing to do with customers or service and everything to do with chasing operating ratios. BNSF has plenty of employees in reserve with thousands furloughed. If this was about customer service many of those furloughs would have been returned to work well before any high impact days to assure the customers' needs were met.

To be perfectly clear, we believe BNSF's implementation of this new process is out of line and a slap in the face to its TY&E employees. 2020 has been a challenging year for everyone. From the beginning of the COVID-19 pandemic our members have put themselves and their families at risk to make a living and keep this company's freight moving. We heard on many calls how great it was that the employees were staying marked up and working so that BNSF could continue to provide service to the country. Our members sit in hotels, are crammed into vans and are expected to be at work under unprecedented conditions and this is the THANK YOU they receive. BNSF can say this is only due to a small number of employees, but instead it took a swing at everyone.

Interestingly, the Organizations were recently invited to participate on a conference call with members of BNSF concerning making accommodations for nursing mothers while on duty. During this call, a high-ranking official of the Labor Relations Department claimed his intention was to make the BNSF "family friendly" for an ever-changing workforce. Based on the tone of your communication regarding "high impact" days, this comment made during the conference call appears nothing more than lip service. While the Organization is not surprised, rarely is the BNSF so blatant. We are not, nor will we ever be fooled by your deceitfulness.

Rather than reaching out to the undersigned, who represent your employees, to negotiate or ask for our assistance, the Labor Relations Department made the decision to send out a threatening letter to our members. Rest assured; our members will not be intimidated by such tactics.

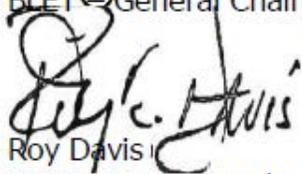
In closing, all of the undersigned representatives below stand in complete disagreement with the current handling which was unilaterally imposed upon our respective memberships and **YOUR** TY&E employees. This is just another example on the ever-increasing list of poorly executed handling and unnecessary ways of conducting business which are being initiated by BNSF, who once again, fail to open any dialogue nor solicit any feedback or suggestions from the Organization representatives.

Again, we disagree with BNSF's handling and stand ready to negotiate a better way to supply employees on your so-called high impact days.

Sincerely,



Bobby Brown  
BLET – General Chairperson



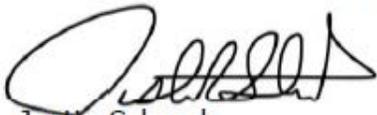
Roy Davis  
SMART-TD General Chairperson GO-577



J. M. LaPresta  
SMART-TD General Chairperson GO-001



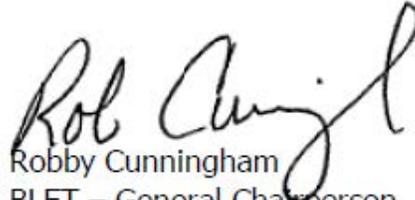
Larry Miller  
SMART-TD General Chairperson GO-386



Justin Schrock  
SMART-TD General Chairperson GO-020



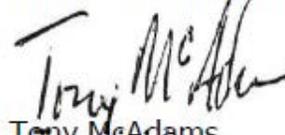
Jeff Thurman  
BLET – General Chairperson



Robby Cunningham  
BLET – General Chairperson



Kevin Kinne  
SMART-TD General Chairperson GO-393



Tony McAdams  
SMART-TD General Chairperson GO-JTD



Kent Psota  
BLET – General Chairperson



Scott Swiatek  
SMART-TD General Chairperson GO-009



Danny Young  
SMART-TD General Chairperson GO-017