



N. V. NIHOUL
Director Labor Relations
6735 Southpoint Drive South, J455
Jacksonville, FL 32216
Telephone: (904) 279-3311
Fax: (904) 359-7563

M. J. Borzilleri
Manager Labor Relations
(904) 279-3034
Matthew_borzilleri@csx.com

October 15, 2010

Mr. D. R. Albers, General Chairman
Brotherhood of Maint. of Way Employes
Allied Federation
315 W. Main Street, Suite 20
Hendersonville, TN 37075

Mr. J. Dodd, General Chairman
Brotherhood of Maint. Of Way Employes
Penn Federation
421 North 7th Street, Suite 299
Philadelphia, PA 19123

Mr. B. Winter, General Chairman
Brotherhood of Maint. Of Way Employes
Consolidated Rail System Federation
58 Grande Lake Drive, Suite 2
Port Clinton, Ohio 43452

CSXT Labor Agreement 12-057-10 (Night Gang Agreement)

Dear Sirs:

This will confirm in writing the understanding reached on October 15, 2010, between the Carrier and the Organization concerning the Carrier's need to establish night gang positions in compliance with Rule 12(c) of the BMW System Agreement effective June 1, 1999. The positions, starting times and work week will be established at the following locations effective no later than November 1, 2010 through March 1, 2011 as follows:

<u>Location</u>	<u>Positions(s) Assigned Days</u>	<u>Hours</u>
Collinwood, OH	Foreman Monday – Friday Vehicle Operator Monday – Friday	9:00PM - 5:00AM 9:00PM – 5:00AM
Ashtabula, OH	Foreman Monday – Friday Vehicle Operator Monday – Friday	9:00PM – 5:00AM 9:00PM – 5:00AM
Willard, Ohio	Foreman Monday – Friday Machine Oper. "A" Monday – Friday Vehicle Operator Monday – Friday	9:00PM – 5:00AM 9:00PM – 5:00AM 9:00PM – 5:00AM
Avon, Indiana	Foreman Monday – Friday Machine Oper. "A" Monday – Friday Vehicle Operator Monday – Friday	9:00PM – 5:00AM 9:00PM – 5:00AM 9:00PM – 5:00AM

The Parties also agree to the following conditions regarding the positions:

1. Advertised assignments with starting times and rest days as specified above will be established. Such assignments will form crews hereinafter referred to as the "Night Gangs."
2. The Night Gangs will consist of not less than two (2) employees and not more than three (3) employees. One employee will be a Track Foreman.
3. The normal tour of duty for the night gang will be five (5) days a week. The hours of assignment will be as noted above with a paid one-half hour for lunch. The rest days will be Saturday and Sunday
4. The Night Gangs will be governed by the Rules of the BMW Agreement, effective June 1, 1999. The daytime crews at the noted locations will not be reduced for the purpose of establishing the Night Gangs.
5. The employees assigned as spelled out above, will in addition to their regular rate of pay, receive one dollar and fifty cent per hour (premium pay) while assigned to the Night Gang. The one dollar and fifty cent (\$1.50) will be rolled into the regular rate of pay and will not be referred to as a "differential". For the purpose of GWI or COLA increases, the one dollar and fifty cent premium pay will not be included in the calculation.
6. Any Night Gang employee, who is required to exercise seniority to a four (4) day assignment, will not lose pay as the result of moving from one assignment to another.
7. This Agreement may be canceled upon twenty (20) days written notice by either party.
8. This Agreement is based on the particular circumstances that exist at the specific locations identified above. It is understood that this Agreement shall establish no precedent value in any other forum, except as it relates to the enforcement of this Agreement.

Please indicate your agreement by signing your name in the space provided below.

Sincerely,



Noel V. Nihoul

Director Labor Relations

Agreed:



Dennis R. Albers, General Chairman
Allied Federation



Bradley Winter, General Chairman
Consolidated Rail System Federation



Jed Dodd, General Chairman
Pennsylvania Federation