

J. D. FITZGERALD  
General Chairman

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# **united transportation union**

GENERAL COMMITTEE of ADJUSTMENT GO-386  
*Burlington Northern Santa Fe Railroad, Montana Western Railroad,  
Colorado and Southern Railroad and Portland and Puget Sound Railroad*



Of Counsel  
M. M. WINTER  
G.O. HARTSOCK

April 15, 2005

J.J. Fleps  
Vice President - Labor Relations  
Burlington Northern Santa Fe RR  
P.O. Box 961030  
Ft. Worth, TX 76161-0030

Re: National Handling vs Local  
Handling

Dear Sir:

This is in regard to the above reference and your letter of April 15, 2005.

As you are fully aware, this Committee, GO-386, has made repeated attempts to remain out of National Handling and deal locally with BNSF. This Committee, along with other UTU General Committees, have since 1994 sought that type of handling.

This Committee, as well as those others, has been rebuffed by BNSF and the National Carrier's Conference Committee (NCCC) at every step, including the U.S. District and Circuit Courts in the D.C. Circuit.

This Committee, as well as all other UTU Committees, sought the right, and were so granted, to remain out of National Handling in this latest round. AS you should well know, your staff, specifically M.H. Siegele, AVP Labor Relations, continually inquired about this Committee=s intentions with regard to National vs Local Handling prior to November 1, 2004.

The intimation by Mr. Siegele and yourself was, you must enter National Handling or face legal challenges as in the past. It was through your and Mr. Siegele's insistence that this Committee decided, by a vote of Local Chairmen, to enter National Handling rather than proceed through a costly legal battle in the D.C. Circuit.

You would now profess BNSF=s desire to sit in Local Handling with this Committee and other UTU BNSF General Committees and negotiate. Your position is not only erratic, it is disingenuous.

BNSF had the opportunity at one point to handle issues Locally. Now you would desire that cake and dine at the Local dessert table as well. Your actions and protestations do not coincide and in fact fail the test in logic and veracity.

BNSF must obviously still believe that instilling fear in the employees concerning their future will stampede them to and over the cliff as similar to

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Lemmings.

You have, by your actions and less than accurate propaganda, very possibly poisoned the well.

Sincerely,

J.D. Fitzgerald  
General Chairman

JDF/aas

cc: BNSF UTU General Chairmen  
P.C. Thompson  
R.L. Marceau  
C.J. Miller, III  
M.K. Rose  
GO-386 Local Chairmen