

UNITED TRANSPORTATION UNION
BNSF CONSOLIDATED GENERAL COMMITTEE (Former NP Lines)

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June 6, 2006

Wendell Bell
General Director Labor Relations
Burlington Northern and Santa Fe Railway Company
2600 Lou Menk Drive
Fort Worth, TX 76131

Dear Mr. Bell:

This is in reference to your May 31, 2006 Section 4 notices pursuant to the *Norfolk & Western* Conditions regarding trackage rights operations in the Longview, Washington area and the Tacoma, Washington area.

Section 4 provides in pertinent part that the "notice shall contain a full and adequate statement of the proposed changes to be effected by such transaction, including an estimate of the number of employees of each class affected by the intended changes." These May 31, 2006 notices do not mention employee adverse effect at all, and do not fully and adequately describe the proposed operational changes. For example, it appears that BNSF intends to convey to Longview Switching Company some authority to perform classification work on BNSF trackage that is currently performed by BNSF crews. Any such switching by LSC crews on BNSF trackage would be beyond the scope and purpose of any overhead trackage rights pursuant to Section 4.

I believe these notices are improper as written and should be reissued to address the factors mentioned herein.

Sincerely,

G. K. Virgin

Associate General Chairperson

cc: P. C. Thompson, International President
R. L. Marceau, Assistant President
D. L. Hakey, Vice President - Administration
A. Martin, III, Vice President
R. D. Kerley, General Chairman
Daniel R. Elliott, III, Associate General Counsel