



David W. Ingoldsby
Assistant Vice President-Labor Relations

Writer's Direct Contact Information:
Phone: (904) 359-2218
Fax: (904) 359-4815
E-Mail: Dave_Ingoldsby@csx.com

Article 40- Marking Off

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File: 6018-SSA

Agreed upon interpretation of Article 40, Marking Off, Interpretations, the Note following the Interpretations and Q&A 4 of CSXT Labor Agreement 1-023-07 and the last paragraph of interpretation letter dated November 7, 2007 as a result of discussions held in accordance with Article 32 of said agreement and interpretation letter at the Disputes Resolution Committee Meetings held at Atlanta, Georgia on April 16, 2009.

It is agreed the intent of the interpretation letter referenced above dated November 7, 2007 was intended to prevent abuse of marking off privileges for Union Business, and never intended to place a cumbersome burden or work load on the General Chairman and/or Local Chairman when it is necessary for the Local Officers to be off for Union Business.

When it is known in advance that the Local Union Officers will be off for Union Business, the time and date provided (1200 on the prior Monday) will apply. In the event it is not known in advance and a Local Chairman/Vice Local Chairman is thus unable to notify CMC of the need to mark-off union business on the weekend by 1200 on the preceding Monday, he will do so as soon as possible (but in no event later than 1200 on the Thursday preceding the weekend mark-off), by sending an e-mail to CMC, copy to the General Chairman, which contains information concerning the nature and necessity of the Union Business weekend mark-off. If the Local Chairman is unable to timely notify CMC, the General Chairman will notify CMC no later than 1200 on the Thursday preceding the weekend mark-off by e-mail to CMC.

This action will satisfy the intent of the November 7, 2007 Letter of Interpretation.

Signed this date, April 16, 2009 at Atlanta, Georgia.

D. W. Ingoldsby
AVP Labor Relations

Agreed:

T. Smith, General Chairman
Brotherhood of Locomotive Engineers and Trainmen

D. L. Moates, General Chairman
Brotherhood of Locomotive Engineers and Trainmen

Rick Finamore

**R. A. Finamore, General Chairman
Brotherhood of Locomotive Engineers and Trainmen
Approved:**

Dennis Pierce

**Dennis Pierce, Vice President
Brotherhood of Locomotive Engineers and Trainmen**

Article 40- Letter of Interpretation