MEMORANDUM OF AGREEMENT BETWEEN
BNSF RAILWAY COMPANY
AND IT'S EMPLOYEES REPRESENTED BY
THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION (BMWED)

1. Effective with vacations taken for the calendar year 2006 ARTICLE VIII -
VACATIONS of the September 26, 1996 BMWE National Agreement is amended (in
boldface) on BNSF Railway to read as follows:

**ARTICLE VIII – VACATIONS**

*Effective January 1, 1997 employees shall be permitted to take two weeks of their
vacation allowance per year in less than 40 hour increments, provided that such vacation
days will be scheduled in accordance with existing rules on the carrier applicable to the
scheduling of personal leave days.*

Accordingly, at the time vacations are scheduled, BMWED represented MOW employees
may elect to take (1) week or (2) weeks of their vacation time in less than 40 hour
increments. If two weeks of vacation are scheduled one week must be used by October 31
of that year. Article VIII of the 1996 BMWE National Agreement and its interpretations
and Side Letters will also apply to the second week of such vacation except as otherwise
provided herein.

2. Mobile employees eligible to receive Board Award 298 per diem on a seven calendar
day per week basis who take a properly approved* Article VIII vacation day(s) on the
first work day(s) following their rest days will not forfeit per diem for the immediately
preceding rest day(s) provided all other eligibility requirements of Board Award 298 are
met. This will not apply to rest days immediately following such vacation day(s).

3. A properly approved* Article VIII vacation day(s) will extend the time for making a
displacement as provided under applicable local agreement rules.

4. With this Agreement, all claims specifically related to the above subjects, if any, are
withdrawn.

*Properly approved* as used in paragraphs 2 and 3 above refers to approval received in
conformance with Carrier procedures established for the purpose of seeking authority to
take an Article VIII vacation day(s).

This Agreement is made on a non-precedent basis and will not be referred to by either
party except to the extent necessary to enforce its terms.

Agreed to on November 29, 2005

FOR BNSF:

Dennis J. Merrell
General Director

FOR BMWED:

D. D. Joyce
General Chairman

B. G. Glover
General Chairman

R. D. Sanchez
General Chairman

Add! Week Article VIII vacation-Perdiem 11-28-05
11-28-05 Final for INITIALS-SIGS

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