



UNITED TRANSPORTATION UNION

GENERAL COMMITTEE OF ADJUSTMENT
UNION PACIFIC WEST • CENTRAL CALIFORNIA TRACTION • STOCKTON TERMINAL & EASTERN
ALAMEDA BELT LINE • OAKLAND TERMINAL RAILROAD

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Vice General Chairperson

VIA FAX AND USPS

February 15, 2006

Mr. Al C. Hallberg, Director
Labor Relations
Union Pacific Railroad Company
10031 Foothills Boulevard
Roseville, California 95747

Re: NOTICE UNDER SECTION 6 OF RAILWAY LABOR ACT

Dear Mr. Hallberg:

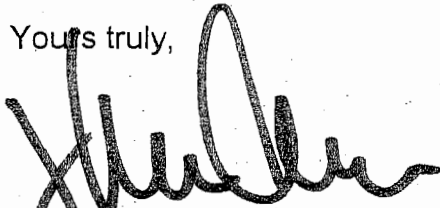
This has reference to your correspondence of February 10, 2006 letter, wherein you request that we advise you if a meeting date of Monday, February 20, 2006 (Presidents' Day Holiday) is acceptable. The date is not acceptable inasmuch as we agreed at our February 8, 2006 conference to meet on the Section 6 notice, along with discussing expedited arbitration of Rule 1.5 offenders, on March 22, 2006 at your Roseville office. One reason for agreeing to meet on March 22 is that during our February 8, 2006 meeting you stated that you lacked the authority to make any modifications to the Companion/By-pass Agreements offered by the Carrier. It is our understanding that the March 22, 2006 agreed-to meeting date will allow you to include UP officers who have the authority to negotiate Companion/By-pass Agreements with this committee.

This letter will reaffirm our mutual agreement to meet on March 22, 2006 for the purpose of discussing and commencing negotiations regarding UTU's Section 6 Notice. The March 22, 2006 meeting date was agreed upon by the parties with the understanding it would satisfy the required initial meeting time limits under the RLA.

Additionally, you state in your February 10, 2006 letter that "rehabilitation is not a working condition." It is noteworthy that at our February 8, 2006 meeting you were adamant that this Committee must sign a Union Pacific "Companion Agreement." That same Agreement provided for drug and alcohol rehabilitation conditions for employees under the jurisdiction of this Committee. UTU found some of the terms and conditions of that Agreement objectionable in that it contained a caveat that abrogated an important condition in our longstanding discipline rules. The By-pass and Companion Agreements that are in place all over the country substantiate that rehabilitation conditions are a subject of collective bargaining. In fact, by your own admission the Agreement proposed to this Committee by you, as well as those already in place on other territories on Union Pacific, fully establish that rehabilitation is a matter subject to collective bargaining.

As a final comment, this Committee is concerned that what you say to us in conference may not be reflective of your intentions and/or good faith bargaining. For example, when we were leaving the February 8, 2006 meeting after scheduling the negotiation session of March 22, 2006, you commented that "progress was made and this was a good meeting." However, your actions after the meeting, including your February 9, 2006 e-mail to carrier officers characterizing the UTU as refusing to discuss the subject of drug and alcohol rehabilitation telegraph a different story. And further, your February 10, 2006 letter insinuates that we did not schedule the first negotiation session of the Section 6 notice and is not an accurate representation of our discussions. While it may just be an error of recollection on your part, accurate representation of events and meetings are the cornerstones of good-faith bargaining. With that thought in mind, and to eliminate any chance of confusion or misunderstanding we have taken extra care to ensure that our notes and communications accurately reflect the events as they occurred, without omissions or coloration. We ask that you do the same.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Klein", written over a large, stylized circular flourish.

J. Kevin Klein
General Chairperson

Representing Trainmen and Switchmen
of the Union Pacific Western Lines

cc: Mr. Paul C. Thompson, UTU International President
Mr. John Babler, UTU Vice President
All Local Chairpersons on this General Committee