MEMORANDUM OF AGREEMENT

between

The National Railroad Passenger Corporation
(Northeast Corridor)

And

Its Employees Represented By

The Brotherhood of Maintenance of Way Employes

WHEREAS, on April 30, 1976, the parties hereto entered into a Letter Agreement providing that Rules 89, 90-A, 90-B, and 90-C governing the establishment of special gangs will not become effective until the parties hereto agree on rates of pay,

IT IS HEREBY AGREED:

1. Employees assigned to special construction gangs established pursuant to Rules 89, 90-A, 90-B, or 90-C of the Agreement between the National Railroad Passenger Corporation and its employees represented by the Brotherhood of Maintenance of Way Employes will be paid an incentive rate of 25¢\textsuperscript{51} per hour over and above the rate provided for the classification of the position to which assigned subject to the following:

   a. The starting time of special gangs will be established by bulletin and will supersede existing starting time rules.

   b. Starting times of special gangs established by bulletin may be changed upon 16 hours advance notice to the Organization and the employees affected.

   c. Rules governing work days and rest days are modified to establish Saturday and Sunday as work days and to provide that any two consecutive rest days may be assigned.

   d. A work week consisting of four ten-hour work days may be established with any three consecutive days as rest days.

   e. When special gangs are established to work beyond the normal work zones and across seniority districts, positions will be bulletined to employees in the seniority districts over which the gang is to be worked.

\textsuperscript{51} Increased to 65¢ per hour effective June 27, 1992.
f. The incentive rate of 25¢ per hour shall be considered separate and apart from the basic rate of pay and shall not be subject to general wage increases.\textsuperscript{52}

g. The incentive rate of 25¢ per hour shall not apply to employees on special gangs assigned by bulletin to work during normal working hours and a normal work week with rest days Saturday and Sunday within the normal work zone or seniority district of the employees assigned to such gangs.

2. The provisions in this Memorandum of Agreement shall supersede any rules of the Schedule Agreement entered into on April 30, 1976, with which they may be in conflict.

3.\textsuperscript{53} The provisions of this Memorandum of Agreement shall be applicable for a period of one year from the date the first special gang is established thereunder, or until such earlier date agreed upon by the parties. At such time, either party may serve a notice upon the other for the purpose of revising and supplementing said agreement. In the event that any dispute involving such a notice cannot be resolved by the parties within 30 days after service of said notice, either party may serve upon the other a 30-day notice of termination of the provisions of this agreement.

Signed at Washington, D.C., this 3rd day of November 1976.

FOR THE BROTHERHOOD OF MAINTENANCE FOR THE NATIONAL RAILROAD OF WAY EMPLOYEES:

\textit{/S/ H. C. Crotty}

A. R. Lowry
Assistant Vice President &
Director-Labor Relations

\textit{/s/ S. H. Heltzinger}

S. H. Heltzinger
Director-Labor Relations
Northeast Corridor

\textit{/s/ A. R. Lowry}

A. R. Lowry
Assistant Vice President &
Director-Labor Relations

\textit{FOR THE NATIONAL RAILROAD PASSENGER CORPORATION:}

\textit{/s/ H. C. Crotty}

A. R. Lowry
Assistant Vice President &
Director-Labor Relations

\textit{/s/ S. H. Heltzinger}

S. H. Heltzinger
Director-Labor Relations
Northeast Corridor

\textsuperscript{52} Incentive increased to 65¢ per hour effective June 27, 1992.

\textsuperscript{53} Amended February 27, 1979, by agreement between Director-Labor Relations S. H. Heltzinger and General Chairmen W. E. LaRue and J. J. Lattanzio, as attached.
MEMORANDUM OF UNDERSTANDING

Between

NATIONAL RAILROAD PASSENGER CORPORATION (NEC)

And

Brotherhood of Maintenance of Way Employes

It is understood between the parties signatory hereto that the Agreement dated November 3, 1976, which is currently in effect, providing for the establishment of SPECIAL CONSTRUCTION GANGS under Rules 89, 90A, 90B or 90C of Brotherhood of Maintenance of Way Employes Agreement dated May 19, 1976, will remain in effect until changed or modified in accordance with the Railway Labor Act, as amended.

FOR:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

/s/ W. E. LaRue  
General Chairman

/s/ S. H. Heltzinger  
Director-Labor Relations

FOR:

NATIONAL RAILROAD PASSENGER CORPORATION

/s/ J. J. Lattanzio  
General Chairman