

MEMORANDUM OF AGREEMENT

Between the

UNION PACIFIC RAILROAD COMPANY

And the

SMART - TD

Donating Personal Leave/Single Vacation Day(s)

On behalf of Employee

JP POHLE – 0433091

This refers to the Organization's request to allow Train and Engine Service employees on Union Pacific CNW Midwest Seniority District to donate personal leave and/or single vacation days to JP Pohle due to emergency medical reasons.

Therefore, in line with the Organization's request, the Carrier is agreeable to allowing Train and Engine Service employees working in the Midwest Seniority District who qualify for and are eligible for personal leave days and/or single day vacation time, to donate unused 2021 personal leave and/or single day vacation, under the following conditions:

1. Solicitations will be conducted by the SMART-TD Local Chairman who will provide Timekeeping Manager Vicente Ramirez with a list, indicating the name(s) of the donor(s), employee ID number(s), and number of single day vacation and/or personal leave days to be donated. This list should be furnished to Mr. Ramirez no later than May 31, 2021.
2. Mr. Pohle must exhaust all personal leave and accrued 2020 vacation prior to availing himself of any vacation donated per this Agreement.
3. There shall be no payments made in lieu of the days donated.
4. The personal leave and/or single vacation days donated will be deducted from the donors' vacation/personal leave days. Donations may not be revoked and will not be restored if not used by Mr. Pohle.
5. Vacation donated will be allowed pro rata at the rate of 1/52 of Mr. Pohle's previous year's earnings but not less than six (6) minimum basic days at the rate

of the last service, if road service; or five (5) minimum basic days at the rate of the last service, if yard service.

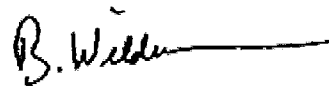
6. Personal leave days donated will be allowed at the basic standard through freight rate.
7. Donations are subject to appropriate deductions, i.e., Railroad Retirement Tax, Union Dues, State and Federal Taxes, etc.
8. Days donated must be used by Mr. Pohle by December 31, 2021 and may not be carried over. Days not used shall be forfeited by Mr. Pohle and the donor(s).
9. Timekeeping Manager Vicente Ramirez will, upon receipt of the appropriate information from the SMART-TD Chairman, ensure that the necessary handling is given.
10. This is a voluntary program and as such, no claims or grievances will be filed or progressed in connection therewith. This program automatically terminates on December 31, 2021, at which time the Agreement is terminated. It is also understood this agreement is without prejudice to the position of either party and not to be cited as precedent in any future similar requests.

For the Organization



Luke Edington
General Chairman –SMART TD

For the Carrier



Beth Wilderman
Labor Relations, UPRR

PERSONAL LEAVE DAY(S) VACATION TIME DONOR AGREEMENT

I, _____, Employee ID _____, agree to donate my unused 2021 personal leave day(s) and/or vacation time to fellow Midwest Seniority District employee J. Pohle, employee ID #0433091 designated as follows:

_(_____)_ Personal Leave Day(s) _(_____)_ Vacation Week(s) _(_____)_ Single Vacation Day(s)

I understand that this donation will not be revoked and if J. Pohle cannot or does not use all of said donated personal leave day(s) and/or vacation time by December 31, 2021, he shall forfeit same. In addition, I acknowledge that the days I donate will be deducted from my entitlement at the time of donation and I will not be eligible to reclaim them if the donee (J. Pohle) does not use the days I have donated.

Signed on the _____ day of _____, 2021.

Donor:

Signature: _____ Employee ID: _____

[Return this form to the SMART-TD Local Chairman or his designee]