

# BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

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## VIA ELECTRONIC AND FIRST-CLASS MAIL

November 25, 2009

All BLET General Chairmen

Re: National Health and Welfare Flexible Benefits Program

Dear Sirs and Brothers:

As you may recall, Side Letter No. 8 to the July 1, 2007 National Agreement provides that “[i]f the number of employees represented by the BLET who elect participation in the Railroad Employees National Flexible Benefits Program (the ‘Program’) for calendar year 2009 does not equal or exceed five (5) percent of all employees represented by the BLET eligible to make such election, the Program shall be terminated effective with respect to employees represented by the BLET midnight on December 31, 2009.” Of course, this provision does not apply on BNSF because the Program on that property was not created by a National Agreement so, therefore, this letter does not apply to our BNSF members.

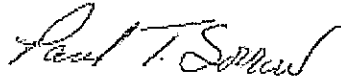
Because the target participation threshold was not reached — and the National Carriers’ Conference Committee was unwilling to extend it voluntarily — the Program will terminate at the end of the year. United HealthCare (“UHC”) is in the process of writing all participants concerning the termination of the Program. It disappoints me that we were unable to reach the necessary threshold, and I want to pass this information along to you in the event you receive any inquiries from Divisions and/or members under your jurisdiction.

All 2009 participants in the Health Flexible Spending Arrangement and/or the Dependent Care Assistance Program have until March 31, 2010, to submit any claims incurred during calendar year 2009. Any claims incurred on or after January 1, 2010, may not be submitted for reimbursement from 2009 contributions. Additionally, if 2009 contributions are not exhausted by March 31, 2010, they will be forfeited. If you receive any inquiries concerning this subject, they should be referred to UHC’s Railroad Enrollment Services toll free at 1-800-753-2692.

Trusting you will find this informative, and with warmest personal regards, I remain

**All BLET General Chairmen**  
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Fraternally yours,

A handwritten signature in cursive script, appearing to read "Paul T. Sullivan".

National President

cc: William C. Walpert, National Secretary-Treasurer  
BLET Advisory Board  
All State Legislative Board Chairmen

PTS:tap