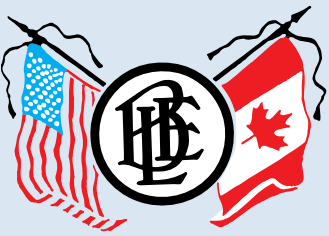


# THE LOCOMOTIVE ENGINEER NEWSLETTER • JANUARY 2001

**Breaking News!**  
Railroad Retirement legislation  
reintroduced in House of  
Representatives.  
*See page 6 for details*

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## NMB rejects UTU appeal for UP representation election

In a major blow to the United Transportation Union and its embattled International President, the National Mediation Board on December 21 denied that union's appeal to reconsider the 1998 petition to hold a representation election on the Union Pacific Railroad.

In short, this means the NMB has finally shut down any attempt by the UTU to combine operating crafts and force a one-sided, winner-take-all election between the BLE and UTU on the UP.

"Obviously, we are very pleased with this outcome," BLE International President Ed Dubroski said. "The NMB has finally put an end to the UTU's three-year-old plan to represent all operating employees on the Union Pacific. While the UTU may win some small representation battles on small railroads at the NMB, this action reaffirms our position representing our members on Class 1 and other railroads. The BLE is now the rail labor

union of the 21st century."

The NMB's decision also means that UTU International President Charlie Little has squandered approximately \$5 million of union funds in his disastrous two-year raid on the BLE, and he was forced to withdraw from the AFL-CIO in disgrace. The UTU is now in a financial crisis, according to highly-placed UTU sources.

Ironically, this much-anticipated Union Pacific decision was published prior to — but was released a few hours after — another NMB ruling giving the UTU an almost unprecedented 2-to-1 split decision authorizing a representation election among a new class of train and engine service employees on the Terminal Railroad Association of St. Louis (TRRA). Essentially, the NMB ruled in the TRRA case that the crafts of locomotive engineer and switchman no longer exist, and have been replaced by "train and

engine service employees" (see related story below).

Some rail labor observers believed that the TRRA split decision could have been the precursor of a split decision in the UTU's favor in the Union Pacific case. But that did not happen. The Board, after 10 months, ruled in favor of the BLE.

"The Board has carefully reviewed the submissions by the participants (UTU, BLE), and the record in this proceeding. This record is insufficient to support the UTU's claims. Therefore, the Board affirms its decision accepting the panel's recommendation and denies the motion for reconsideration," NMB Chief of Staff Stephen D. Crable said in the ruling.

Crable also wrote, "Under consideration of Motion for Reconsideration, the NMB will decline to grant relief sought

See Union Pacific, Page 8

## BLE appeals bitter NMB split decision to destroy operating crafts at Terminal RR

In an almost unprecedented split decision, the National Mediation Board has ruled 2-to-1 to destroy the crafts of locomotive engineer and switchman on the Terminal Railroad Association of St. Louis (TRRA).

In essence, two of the three NMB members sided with the United Transportation Union saying that operating crafts were combined and that a representation dispute existed among operating rail employees on the small TRRA.

The Brotherhood of Locomotive Engineers, however, filed a petition for reconsideration of the NMB's December 21 ruling, citing numerous "fatal flaws in legal analysis," including a lack of cross-utilization of engineers and train service employees.

In a blistering dissent, NMB Chairman Ernest DuBester emphasized that the UTU and BLE should decide between themselves if they should ever merge and that

the NMB should not determine their fate. He said that the "issue underlying this case is an emotional, often divisive issue throughout much of the railroad industry."

"For many, it is viewed as a contest between the UTU and the BLE," DuBester said. "That should not be the Board's view. To the contrary, a voluntary merger between these Organizations could reflect the best traditions of each organization, proving beneficial to the represented employees, to the Organizations themselves, and to the industry generally. Such a decision, however, is for each Organization to determine."

In their majority decision, NMB members Magdalena Jacobsen and Francis J. Duggan "deviate(d) from the historical patterns in the railroad industry," DuBester charged. He said that Jacobsen and Duggan largely ignored more than six decades of established NMB principle

regarding historical patterns of representation in the railroad industry.

"It appears that certain members of the NMB believe that it's okay to ignore all precedent and engage in social and labor engineering to change an established system based on self-determination in favor of creating a new one that supports a rogue union operating outside of the AFL-CIO," said BLE International President Ed Dubroski.

Dubroski noted that the UTU is now trying to do on the Terminal Railroad what it failed to do on the Union Pacific Railroad. A few hours after announcing the split decision in the Terminal Railroad case, the NMB denied the UTU's appeal of its decision in the Union Pacific case dealing that union a major blow.

TRRA has approximately 125 operating employees and is a small non-Class 1 railroad

See TRRA, Page 7

## Bush transition teams show heavy pro-employer bias

Perhaps foreshadowing things to come, President-elect George W. Bush has released the names of members of his transportation and labor transition advisory teams — and it doesn't look good for labor.

The transportation team includes representatives of CSX, Norfolk Southern and Union Pacific, but there are no representatives of rail labor. John Snow, CEO of CSX, and Dick Davidson, CEO of Union Pacific, are among the railroads' representatives to the team.

The American Shortline and Regional Railroad Association Director, Frank Turner, also is a member of the transportation team, as are Lew Eisenberg, the director of the Port Authority of

See Bush, Page 8



# LEGISLATIVE UPDATE

## DC Feedback: Prescription drug use

### Employees should confer with physician, comply with provisions of 219

Do you have a question about federal laws, Federal Railroad Administration rules that impact your job, or about pending legislation governing our industry? Send it to:

**D.C. Feedback, Brotherhood of Locomotive Engineers**  
**10 G. Street N.E., Suite 480**  
**Washington, DC 20002**

Or you can fax your questions to (202) 347-5237; or via e-mail to: [blede@aol.com](mailto:blede@aol.com).

If the BLE's National Legislative Office does not have the answer on hand (such as a federal interpretation), they'll get back to you as soon as possible. Select questions and answers will be published regularly in the pages of the *Locomotive Engineer Newsletter*.

This month's installment deals with prescription drug use.

**Dear DC Feedback:**

**What are the requirements for reporting the use of prescription drugs and over-the-counter medications?**

In meetings held with FRA, the issue of medications commonly purchased over-the-counter and used in the treatment of colds and flu were discussed. It was stated, and for reasons of safety, that a policy that would not permit employees to lay-off when called if they reported they were unsafe to work because of alcohol or prescription drug use would be looked on unfavorably. Likewise, there is concern with the impact on safety that employees may have when they are not medicated when sick. It is important for railroad employees subject to part 219 that they confer with their physician on prescriptions and over-the-counter use of medications.

In regard to prescription drug use §49 CFR Part 219.103, provides:

"(a) This subpart does not prohibit the use of a controlled substance (on Schedule II through V of the controlled substance list) prescribed or authorized by a medical practitioner, or possession incident to such use, if

(1) The treating medical practitioner or a physician designated by the railroad has made a good faith judgment, with notice of the employee's assigned duties and on the basis of the available medical history, that use of the substance by the employee at the prescribed or authorized dosage level is consistent with the safe performance of the employee's duties;

(2) The substance is used at the dosage prescribed or authorized; and

(3) In the event the employee is being treated by more than one medical practitioner, at least one treating medical practitioner has been informed of all medications authorized or prescribed and has determined that use of the medications is consistent with the safe performance of the employee's duties (and the employee has observed any restrictions imposed with respect to

use of the medications in combination).

(b) This subpart does not restrict any discretion available to the railroad to require that employees notify the railroad of therapeutic drug use or obtain prior approval for such use.

Additionally, a Notice of Safety Advisory-98-3, titled, "Recommended practices for the safe use of prescription and over-the-counter drugs by safety-sensitive railroad employees" states:

"FRA issues this advisory in support of DOT's efforts to ensure that transportation employees safely use prescription and over-the-counter (OTC) drugs. Safe rail operations depend upon alert and fully functional professionals who have not been adversely affected by drug use, whether medically appropriate ("legal") or not. FRA has always prohibited illicit drug use and unauthorized use of controlled substances by safety-sensitive employees, but is equally concerned about the potentially adverse side effects from other prescription drugs and OTC products. Because DOT and FRA testing (including FRA's post-accident program) targets only alcohol and con-

trolled substances, FRA does not have a clear picture of the extent to which the performance of safety-sensitive employees is adversely affected by legal drug use.

"Accordingly, although not specifically addressed in its alcohol and drug testing regulations (49 CFR part 219), FRA strongly recommends that rail employers and safety-sensitive employees follow § 219.103 guidelines when considering the use of all prescription and OTC drugs. Simply stated, in the interest of safety, FRA strongly recommends that either a treating medical professional or a railroad-designated physician make a fitness-for-work determination concerning all prescription and OTC drug use prior to permitting an employee to return to work in safety sensitive service. This determination should also be made whenever an employee currently performing safety-sensitive functions is concerned about possible effects on his or her job performance from the use of prescription or OTC drugs.

"Section 219.103(b) authorizes railroads to establish reporting and approval procedures for all prescription and OTC drugs which may have detrimental effects on safety. Addition-

ally, FRA recommends that railroads educate their employees on these reporting and approval procedures and, most importantly, on how to use prescription and OTC medications safely.

"FRA will take all appropriate action to continue reducing the negative impact from inappropriate use of all prescription and OTC medications. Moreover, FRA strongly encourages the rail industry to voluntarily develop programs on safe prescription and OTC drug use before such programs are mandated or directed through legislation.

"Issued in Washington, D.C., by George Gavalla, Acting Associate Administrator or Safety."

Many OTC drugs contain alcohol in percentages greater than found in alcoholic beverages. This, in combination with other chemicals, can cause drowsiness or other effects that make them unacceptable for persons in safety sensitive positions. A balance must be struck between taking *approved* medications and/or going to work in a condition that threatens your health and the health and safety of your fellow workers. At all times comply with the provisions of part 219. •

### Congressman addresses North Dakota State Legislative Board



Members of the North Dakota State Legislative Board met in Bismarck, N.D., for their biennial meeting. Seated, from left: Ron Huff, 1st Vice Chairman, BLE Division 746 (Mandan, N.D.); North Dakota Congressman Earl Pomeroy; and Mike Muscha, Chairman of the North Dakota State Legislative Board and Member of BLE Division 671 (Enderlin, N.D.). Standing, from left: Mark Boushee, 2nd Vice Chairman, and member of BLE Division 95 (Grand Forks, N.D.); Dean Altringer, Secretary-Treasurer, member of BLE Division 160 (Harvey, N.D.); and Cheri Bonebrake, BLE Division 695 (Minot, N.D.).

Congressman Pomeroy attended the meeting and delivered a keynote address. At the meeting, the Board voted to change the meeting from biennial to every four years. The banquet was open to all North Dakota BLE members and their spouses, and special guests included: BLE Vice-President & U.S. National Legislative Representative Leroy Jones; Montana State Legislative Board Chairman Craig Gilchrist; Attorney General/Gubernatorial candidate Heidi Heitkamp; Agriculture Commissioner Roger Johnson; Candidate for Tax Commissioner Steve Tomac; Public Service Commissioner candidate Vern Thompson (also a North Dakota State Senator); and State AFL-CIO President Dave Kemnitz.

## BLE intervenes in 13(c) fight, a battle to save union jobs

The U.S. District Court for the District of Columbia has granted motions by the BLE, the Firemen and Oilers, IAM, IBEW, TCU and UTU to intervene in the attempt by Herzog Transit Services to bid on the operation of Bay Transit Authority's commuter rail services in the San Francisco area.

Herzog Transit Services wanted to be one of the bidders for the maintenance and running of the trains and, aware of the Department of Labor's (DOL) interpretation of regulations in the Massachusetts Bay Transit Authority (MBTA) case from earlier in 2000, filed a lawsuit challenging the application of these regulations.

In the MBTA case, the U.S. Department of Labor and the Federal Transit Administration warned MBTA contractor Bay State Transit Service that it was not complying with a 1964 labor regulation known as "13 (c)," designed to protect workers' seniority, contracts and wages. The contractor disagreed and tried to litigate the issue, but the federal agencies threatened to cut off about \$200 million in funds immediately if the MBTA did not honor its 13(c) obligations. Amtrak's contracts to operate MBTA service have been renewed.

On December 15, the BLE and the other unions were granted the right to intervene on the DOL's behalf in its defense against Herzog. The court also denied Herzog's motion for a preliminary injunction for failure to establish any present threat of irreparable harm.

The BLE and the other five unions are seeking to protect the jobs of their members. They are concerned about the abrogation of contracts and pay scales, as well as layoffs, if the contract is granted to Herzog or another non-union company.

BLE President Edward Dubroski blasted Herzog's anti-union tactics. "Apparently, Herzog was encouraged when Senator Phil Gramm and other radicals improperly attempted to interfere in our struggle with MBTA," Dubroski said.

"With the Republican sweep of the national elections, we can expect even more attempts to eliminate 13(c), which we will resist with every tool at our disposal."

# Runaway remote control unit derails on UP mainline

## Dramatizes need for federal regulation of new technology

The derailment of a runaway remote control locomotive on the Union Pacific mainline outside of Blair, Neb., on December 19 underscored the concern of the BLE and others about the unregulated use of such technology.

The derailment occurred on a section of track owned by Union Pacific, but leased by Cargill. A switch engine and six cars carrying high fructose corn syrup caused over \$400,000 in damages when it derailed approximately 2,000 feet from the Cameron ditch, which empties into the Missouri River.

The most alarming aspect of this incident is the fact that the runaway remote control engine derailed at a control point on the Union Pacific mainline. A runaway locomotive — in this case attached to over 30 cars and with no one at the controls on a mainline track — could have resulted in a much worse accident, or possibly death.

The remote operations were being handled by remote control manufacturer Canac, which was contracted by Cargill for rail services at its Blair plant. Canac testified as to the safety

of its remote operations at a recent conference about such operations held by the FRA.

**"A similar accident involving hazardous materials could spell disaster for railroad workers, residents and the environment."**

— BLE President Ed Dubroski

A Union Pacific spokesman said the railroad's investigators have determined that "human failure" caused the derailment of the remotely controlled unit. Cargill and Canac are continuing their investigations.

The FRA has conducted a prelimi-

nary investigation of the accident and a complete report is required to be filed under the provisions of the FRA's accidents/incidents reporting. This accident demonstrates the need for FRA regulations before another remote control locomotive goes into operation. Accidents, such as this one, could have a disastrous impact on train crews, residents in the area and the surrounding environment.

"Railroad operations do not always handle materials as innocuous as high fructose corn syrup. A similar accident involving hazardous materials could spell disaster for railroad workers, residents and workers in the area, and the environment in which we live," said BLE International President Edward Dubroski.

"This demonstrates the need for FRA to enact regulations governing remote control operations, and we will continue to monitor the investigation of this accident as part of our effort to ensure that this technology is made safe before it becomes more widely used." •

## Deadlines approach for 2001 S-T Compliance Class

Several deadlines are quickly approaching for Secretary-Treasurers who plan to attend the BLE's Compliance Classes in 2001.

For members planning to attend the March 8-10 class in Atlanta, the deadline for hotel registration is February 8. For those planning to attend the March 22-24 class in Newark, the hotel registration deadline is March 1.

In addition, all members who plan to attend these training sessions must register with Dr. Elaine Reese of the BLE International Division at (216) 241-2630, extension 243, or via the internet at: <reese@ble.org>.

The March 8-10 class will take place at the Doubletree Club Hotel, Atlanta Hartsfield Airport. The phone

number for hotel reservations is (404) 763-1600.

The March 22-24 class will take place at the Ramada Inn-Newark. The number for hotel reservations is: (973) 824-4000.

During the two-and-a-half day session, members will learn proper record keeping techniques, computer applications, methods for filing various Department of Labor reports, Railroad Retirement forms, as well as Federal tax returns.

Members are asked to bring their own calculator to the classes. To secure additional copies of IRS forms which can be downloaded from the IRS website, [www.irs.gov](http://www.irs.gov). To find the forms, go to "forms and publications." A free

copy of Adobe Acrobat is available for printing and viewing the forms.

On a related note, Dr. Reese reports that the Department of Labor has introduced a new LM Report to begin preparing for online filing. The information required is the same but the format in which it is required is different.

One major change requires is that fact that the new forms are machine readable; therefore, every green line must be filled out even if you do not have an entry.

Write zero ("0") in the right column of the lines which you do not have an entry. If any items (green lines) are left blank you may receive the report back as not filed, so make sure to fill out every (green) line. •

## George Meany Center offers online hazmat training courses

The George Meany Center for Labor Studies is providing a web-based hazmat training course for 2001.

The course offers flexibility for busy schedules and meets awareness level hazardous materials training requirements established by the U.S. Department of Transportation and the Occupational Safety and Health Administration.

To achieve the maximum participatory benefits of the live course (such as bulletin board activities, live chats, etc...), the Meany Center is recruiting groups of approximately 30 rail workers from all crafts to participate in scheduled online group sessions. The first group session, or "cohort," is scheduled to begin February 1, 2001, and new cohorts will begin on the first of each month thereafter.

Participants will be urged to complete the course within a 6-8 week time period; individual sessions are designed to

be approximately 8-hours in length. There is no cost to participants associated with this training.

The online course schedule for 2001 is as follows:

**February 1**  
**March 1**  
**April 1**  
**May 1**  
**June 1**  
**July 1**  
**August 1**

If you are interested in participating in the online training, register online at:

<<http://www.georgemeany.org/hazmat.html>>.

You will receive a letter or an e-mail confirming your participation as well as an online learning guide for the course. •

# BLE NEWS

## FRA issues much-needed proposed rule on locomotive cab sanitation standards

The Federal Railroad Administration issued a Notice of Proposed Rulemaking (NPRM) on January 2, proposing sanitation standards for toilet and washing facilities in locomotive cabs.

The proposal provides exceptions for certain existing equipment and operations, and establishes servicing requirements.

The NPRM is the product of the Rail Safety Advisory Committee (RSAC) on Locomotive Cab Working Conditions. It has received the consensus of the working group, been approved by the Full RSAC, and cleared the internal government process.

The regulation applies to lead locomotives and any occupied locomotive in a trailing position, except:

- Switching locomotives; transfer train service; commuter service; Class III railroads where access is provided en route; tourist, scenic, historic, or excursion operations; and a limited number of toilets

that will be grandfathered and phased out over the next several years.

- In those switching, transfer, and commuter operations where no toilet facility is on the occupied locomotive, there is a requirement on the railroad to provide ready access to a toilet facility when requested by the employee.

For the purposes of this rule, a locomotive's toilet facility is determined to be compliant or non-compliant at the time of the daily inspection. If it does not comply, it is prohibited from use as a lead or occupied locomotive until repaired or made sanitary.

Specific conditions are to be met at the daily inspection, including:

- Adequate ventilation; supply of toilet paper; a washing system; trash receptacle; door closure and modesty lock; potable water; maintenance of the toi-

let system, and a requirement for the sanitation compartment to be sanitary.

- Sanitation compartments shall be sanitary on each occupied locomotive used in switching service, transfer train service, or in a trailing position when the locomotive is occupied.

There are provisions to address circumstances of defective ventilation systems, defective toilets where parts are unavailable, and toilets determined to be non-compliant, where determination is made at a remote location and meet a specific set of restrictive conditions.

The FRA will be accepting comments until March 5, 2001, which it will consider before issuing a final rule.

The full text of the proposed rule can be found on the BLE website at:

<<http://www.ble.org/pr/news/sanitationnprm.pdf>>. •

## Appeals court reverses 'major dispute' ruling in BMW case

A three-judge panel from the Tenth Circuit Court of Appeals has reversed a ruling by a Colorado District Court judge that the Union Pacific's plans to close its track panel plant in Laramie, Wyo., constituted a "major dispute" under the Railway Labor Act (RLA).

As reported by the BLE last February 24th, the original court action was taken after the Brotherhood of Maintenance of Way Employees (BMW) struck Union Pacific (UP), because of the carrier's announced plans to outsource construction of track panels and shutter the plant, where the work was being performed by BMW members.

In ending the strike, the Colorado

court also enjoined UP from moving ahead with its plans to close the plant, finding that such action would violate the RLA.

Under the RLA, labor disputes fall into one of two categories. Disputes over the creation of new contractual rights are termed "major disputes," and must be handled under specific provisions of the law, beginning with the serving of a Section 6 notice, and followed by negotiation and possible mediation, voluntary binding arbitration.

If these steps do not provide a resolution, the act also allows the President to appoint an emergency board to study the dispute and issue recommendations for settling it. For decades, Con-

gress has seized on these recommendations and imposed legislated settlements, in order to avoid lengthy rail strikes.

During the period that major disputes are being handled, the parties must maintain the status quo, and are legally forbidden from implementing any proposed changes. Because, in the District Court's view, UP's actions were prohibited by its collective bargaining agreement with the BMW, the dispute was found to be major and UP was enjoined from moving forward.

So-called "minor disputes" under the RLA grow out of grievances or out of the interpretation or application of collective bargaining agreements, and are subject to conference and, ultimately, compulsory arbitration.

In reversing the District Court, the 10th Circuit found that "what the Union is really seeking is enforcement of the existing collective bargaining agreement" and that "any attempt to resolve the dispute will inevitably involve interpretation of that agreement."

Commenting on this development, BLE General Counsel Harold A. Ross said, "This decision underscores how it has become nearly impossible to persuade a federal court that a carrier's action — no matter how outrageous or unfounded — constitutes a major dispute, and how the odds are overwhelmingly against rail unions when they try to enforce their members' rights."

The BMW has asked the full Tenth Circuit court to review the panel's decision. •



### Notice!

#### Broken engine seat?

**Engineer needs your help**

A BLE locomotive engineer was severely injured when his locomotive seat broke from its pedestal. He is now bringing suit against his railroad company as well as the manufacturer of the seat.

The engineer's attorney, a BLE designated legal counsel, is seeking input from engineers who have had first-hand incidents with broken seats, or those who have heard of other engineers who have experienced incidents with broken seats. It is not important whether or not an injury occurred.

Anyone wishing to help this BLE Brother should contact his attorney at: (800) 624-4571.

## BLE scores victory for organized labor in GM dispute

The oldest labor union in North America scored a major victory over one of the biggest corporations in the world in early January.

Bowing to pressure from the Brotherhood of Locomotive Engineers and civic leaders, General Motors Corp. announced on January 2 it had abandoned plans to build a \$45 million non-union rail yard in Milan Township, Mich.

The joint-venture with Ann Arbor Acquisition Corp. could have spelled doom for the Grand Trunk Western Railroad and could have taken away business from other railroads operating in the Midwest. GM intended to use

the yard — and a nonunion workforce — to sort and ship new automobiles.

Several Milan Township Trustees ran on an "anti-development" platform in the November elections, promising citizens they would fight the \$45 million project. They placed a great deal of pressure on GM to halt the project.

However, their efforts alone were not enough to stop such a huge corporation. It took the assistance of the Brotherhood of Locomotive Engineers to stop the spread of nonunion labor.

The BLE initiated a letter writing campaign, arguing that union-made cars should not be transported by non-union workers and encouraging mem-

bers of Congress to oppose the project.

In addition, the BLE wrote letters to the United Auto Workers asking them to put pressure on GM to end the project.

BLE General Chairman John Karakian spearheaded the letter writing campaign for the BLE. "This is a major victory for rail labor," he said.

Ann Arbor Acquisition purchased the Ann Arbor Railroad out of bankruptcy in the late 1980s.

GM and Ann Arbor Acquisition sought to rezone 1,000 acres of farmland in Milan Township for the proposed rail yard, but voters rejected their proposal. •

## Jolene Molitoris leaves top post at Federal Railroad Administration

Jolene M. Molitoris resigned last month as Administrator of the Federal Railroad Administration, effective Dec. 31, 2000.

Molitoris was the first woman to lead the FRA in its 34 year history.

She has accepted the position of President and CEO of GeoFocus Inc., a provider of safety enhancing Geographic Information System (GIS) and

Global Positioning Satellite (GPS) wireless technology solutions to the transportation industry.

Molitoris championed rail safety in the U.S. and around the world, establishing zero tolerance for any safety hazard as the industry standard, creating safety partnerships with rail labor and management and achieving historic increases in all safety catego-

ries as a result.

FRA-led partnerships with rail labor, management and others helped reduce train accident fatalities by 87 percent, rail employee casualties by 34 percent, and highway-rail crossing fatalities by 35 percent.

These record lows were achieved while rail freight and passenger traffic were at all time highs. •

# INDUSTRY NEWS BRIEFS

## Union Pacific to cut 2,000 jobs

OMAHA, Neb. — Prompted by signs of an economic slowdown, Union Pacific Corporation announced on December 27 that it will eliminate approximately 2,000 jobs and cut its planned capital spending program for 2001.

About half of the 2,000 job cuts will come from normal attrition and the rest from an early retirement program and firings, the railroad said. The reductions will include union and non-union employees from every part of the railroad's 23-state system.

Details of the jobs reduction program will be finalized by mid-January. Employees

will have an opportunity to consider how the options apply to them, the railroad said.

The reductions should be completed by the end of February.

The capital spending budget has not been determined for 2001, but will be less than the \$2 billion spent in 2000. •

## No death penalty in fatal rail 'prank'

BROOKINGS, S.D. — The federal government will not seek the death penalty against Andrew Goltz, the man who allegedly derailed a train, killing a conductor and seriously injuring a locomotive engineer.

The announcement was made December 28 by U.S. At-

torney Ted L. McBride.

"The Attorney General (Janet Reno) has determined it is not appropriate. The death penalty is not warranted in this case," McBride said in a report published in the *Argus Leader*, a South Dakota newspaper.

Goltz's trial in federal court is scheduled for April 30 before U.S. District Court Judge Lawrence L. Piersol in Sioux Falls.

Goltz now faces a sentence of mandatory life in prison. He was indicted on a federal train wrecking charge for the Aug. 26 accident in Brookings.

According to an affidavit filed in federal court, Goltz told an FBI agent that he broke the lock off the railroad switch, moved the switch to divert the train into eight parked railroad

cars filled with grain, and covered a warning reflector with a plastic garbage bag.

He claimed to have committed the acts as a "prank."

The train's conductor, Brad Davis, was killed in the derailment. Locomotive Engineer Dennis Baum was seriously injured. His left arm was amputated and he suffered broken bones in his ankles and feet. •

## NS to pay \$28 million in lawsuit

NORFOLK, Va. — On January 9, Norfolk Southern Corp. said it would pay \$28 million to settle a 1993 class action lawsuit alleging racial discrimination.

The company also agreed to establish "good faith goals" for promoting members of the class action suit to management-level jobs during the four-year term of the consent decree that ends the lawsuit. The class action involves about 7,700 African-Americans who have worked for Norfolk Southern since Dec. 16, 1989, the company said.

Norfolk Southern noted the consent decree received preliminary approval from a federal judge in Birmingham on Dec. 22, 2000.

The agreement follows two years of voluntary mediation. The case was tried in 1997, but the federal judge had not issued a ruling. •

## DOT announces new drug testing procedures

WASHINGTON D.C. — The U.S. Department of Transportation announced new rules on December 14 to protect the rights of 8.5 million workers who undergo drug testing that the government makes mandatory as a safety measure.

The new rules were made public on the same day that the Department of Health and Human Services disclosed new evidence of testing laboratories' shortcomings that can mistakenly brand innocent workers drug abusers, ending their careers.

The most significant of the rules involve so-called validity testing, a relatively new procedure to determine whether a urine specimen is legitimate. Under current rules, transportation workers whose specimens are found to be invalid are assumed to be cheaters. Many are fired without any opportunity for an appeal.

The new rules extend to validity testing two safeguards that already protect a worker who actually tests positive for any of five illegal drugs: cocaine, heroin, amphetamines, marijuana and PCP. A medical review officer, hired by the employer, will have the right to cancel the result of a validity test upon finding a sound medical reason for a specimen's testing illegitimate. And workers will have the right to demand that a second sample of their specimen be tested at a laboratory different from the first.

The drug testing of millions of transportation workers — railroad workers and a variety of bus and truck drivers, airline flight crews and mechanics — is required by the government in the name of public safety. •

## AFL-CIO NATIONAL BOYCOTTS



NOVEMBER / DECEMBER 2000

### BUILDING MATERIALS & TOOLS

#### BROWN & SHARPE MFG. CO.

Measuring, cutting and machine tools and pumps  
► Machinists

#### JET EQUIPMENT & TOOLS, INC.

Auburn, Wash., distributor of "JET" brand metal- and wood-working power and hand tools for home and commercial use  
► Teamsters

#### SOUTHWIRE CO.

Commercial and industrial wire and cable; Do-It-Yourself brand homewire  
► Electrical Workers

### ENTERTAINMENT & RECREATION

#### BLACK ENTERTAINMENT TELEVISION

BET cable television, Action pay-per-view, Bet on Jazz  
► Electrical Workers

### FOOD & BEVERAGES

#### BASIC VEGETABLE PRODUCTS/

#### BASIC AMERICAN FOODS

Dehydrated garlic, onion, and other vegetable products, chiefly for institutions such as colleges, hospitals and hotels, and for other food processors. Labels include: Snow White garlic, Mello Toasted onion, Dial-A-Heat garlic and chilis, High-Flavor onion and garlic, Dehydro/frozen Vegetables, Potato Pearls, Golden Grill hash browns and potato pancakes, Santiago Refried Beans, Quick-Start Chili Mix  
► Teamsters

#### DIAMOND WALNUT CO.

Diamond brand bagged and canned walnuts and walnut pieces  
► Teamsters

#### FARMLAND DAIRY

Milk sold under the Farmland Dairy label in stores in Connecticut, New Jersey and New York  
► Teamsters

#### MT. OLIVE PICKLE CO.

Pickles and relishes sold under the Mt. Olive and other labels, including the Food Lion and Harris Teeter supermarket "house" labels  
► Farm Labor Organizing Committee

### FURNITURE

#### STRAITS FURNITURE CO.

Jackson, Miss., manufacturer of entertainment centers, dining-room and bedroom furniture. Brands include: Canbrough Oak Collection, Downing Street Collection, Cherry Creek Collection, Hood, Straits  
► CWA Industrial Division (formerly the Electronic Workers)

### TRANSPORTATION & TRAVEL

#### BEST WESTERN-GROSVENOR RESORT

Hotel in Lake Buena Vista, Fla.; located at Disney World, but separately owned and operated  
► Hotel Employees & Restaurant Employees

#### CROWN CENTRAL PETROLEUM

Gasoline sold at Crown, Fast Fare and Zippy Mart stations and convenience stores  
► Paper, Allied-Industrial, Chemical & Energy Workers

#### FOUR POINTS BY SHERATON

Hotel in Waterbury, Conn.  
► Hotel Employees & Restaurant Employees

#### HOLIDAY INN SUNSPREE HOTEL

Hotel in Kapaa, Hawaii  
► Longshore & Warehouse Union

#### NEW OTANI HOTEL & GARDEN

Hotel in downtown Los Angeles  
► Hotel Employees & Restaurant Employees

### OTHERS

#### CF&I STEEL and OREGON STEEL MILLS, INC.

Steel, including rod, bar, rail, pipe and steel plate  
► Steelworkers

#### WELLS FARGO and NORWEST BANKS

Wells Fargo has branches in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Texas, Utah and Washington; Norwest has branches in Arizona, Colorado, Indiana, Iowa, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, South Dakota, Texas, Wisconsin and Wyoming  
► Steelworkers

#### R.J. REYNOLDS TOBACCO CO.

Cigarettes: Best Value, Camel, Century, Doral, Eclipse, Magna, Monarch, More, Now, Salem, Sterling, Vantage, and Winston; plus all Moonlight Tobacco products  
► Bakery, Confectionery, Tobacco Workers & Grain Millers

PLEASE POST

# BLE NEWS

## Railroad Retirement Board reminders for 2001

**2001 Tier I Earnings Base and Tax Rate**  
 \$80,400 — Annual Maximum  
 6.20% — Employee & Employer Tax Rate  
 \$4,984.80 — Maximum Employee & Employer Tax

**2001 Tier II Earnings Base and Tax Rate**  
 \$59,700 — Annual Maximum  
 4.90% — Employee Tax Rate  
 \$2,925.30 — Maximum Employee Tax Rate  
 16.10% — Employer Tax Rate  
 \$9,611.70 — Maximum Employer Tax

**2001 Medicare Hospital Insurance Earnings Base and Tax Rate**  
 Annual Maximum — No Limit  
 1.45% — Employee & Employer Tax Rate

**Total Tier I, Tier II & Medicare Hospital Insurance Maximum Tax**  
 Employees — \$9,075.90  
 Employers — \$15,762.30

*(Additional taxes are 1.45% of earnings in excess of \$80,400)*

**Amount Needed For Quarter of SSA Coverage**  
 \$830.00 in 2001 (Up to 4)

**2001 Employer RUIA Tax Rate**  
 2.15% — 12% on First \$1,050 Per Month

**Employee RUIA 2000 Qualifying Earnings**  
 \$2,512.50 — For Benefit Year 2001 (Beginning July 1, 2001)

**RUIA Daily Benefit Rate**  
 For Benefit Year 2001 (Beginning July 1, 2001)  
 — \$50

**Work Deduction Exempt Amounts**  
 Age 65 (for months prior to age 65 in the calendar year):  
 Annual — \$25,000; Monthly — \$2,083  
 (\$1 Deduction for Each \$3 of Excess Earnings)

Under Age 65:  
 Annual — \$10,680; Monthly — \$890  
 (\$1 Deduction for Each \$2 of Excess Earnings)

Highest Possible RRA Maximum — 2001  
 \$4,550.00

**Basic Medicare Premium**  
 \$50.00

**Cost-Of-Living Increase, December 2000**  
 Tier I — 3.5%  
 Tier II — 1.1%

### Breaking News!

# Railroad Retirement legislation reintroduced

After carefully reviewing the language contained in H.R. 180, the Brotherhood of Locomotive Engineers announced on January 11 that it is supporting the Railroad Retirement and Survivors' Improvement Act of 2001.

The language in the bill, for the most part, is the same as H.R. 4844, which was introduced in the House of Representatives last year. H.R. 4844 passed the House by a huge bipartisan majority (391-25) and had 83 Senate co-sponsors; however, it was killed by three ultra-conservative Senators.

If enacted into law by the 107<sup>th</sup> Congress, the bill would reduce the vesting requirement under the Railroad Retirement system from 10 years to five, eliminate the actuarial reduction for those who retire prior

to age 62, increase surviving spouses' annuities, and eliminate the Railroad Retirement maximum.

H.R. 180 was introduced in the House by Bud Shuster (R-PA), who earlier this month announced he would retire from public office on January 31.

Regardless of the fact that there are minor differences in wording between H.R. 180 and H.R. 4844, the BLE has agreed to support the bill because the intent of the legislation has not changed.

The entire text of H.R. 180 is available on the BLE website at:

<[http://www.ble.org/pr/news/shuster\\_4844.pdf](http://www.ble.org/pr/news/shuster_4844.pdf)>.

For the latest information and breaking news on this legislation, please stay tuned to the BLE website at [www.ble.org](http://www.ble.org). •

### IN THE LINE OF DUTY

## D.E. Nichols Jr.

According to preliminary reports, a member of BLE Division 255 (Steubenville, Ohio) was killed the morning of January 11 near South Fork, Pa.

It is believed that the Norfolk Southern locomotive engineer, D.E. Nichols Jr., stopped to inspect his train for flat spots and was hit by a train

on an adjacent track while traveling between Conway and Harrisburg, Pa.

Nichols, 52, joined BLE Division 255 in 1971 and was a resident of Richmond, Ohio. He leaves behind a son and his father.

Nichols is the 22nd BLE member killed in the line of duty since 1996 and the first in 2001.

## Springfield Terminal/Delaware & Hudson GCofA



Members of the combined General Committee of Adjustment of the Delaware & Hudson Railway and the Springfield Terminal Railway recently convened their quadrennial meeting in Albany, N.Y. Re-elected to office were: General Chairman Michael D. Twombly; 1st Vice General Chairman Kenneth Kertesz (Delaware & Hudson); 2nd Vice General Chairman John Brown (Springfield Terminal); and Secretary-Treasurer Bruce Cushing (D&H and ST).

Seated, from left: 2nd Vice Chairman Brown; 1st Vice Chairman Kertesz; General Chairman Twombly; BLE International Vice-President Ed Rodzowicz; and Secretary-Treasurer Bruce Cushing. Standing from left: Division 311 Local Chairman Stephen Vaughan; Division 191 Local Chairman David Grimm; Division 87 Local Chairman Paul Bolton; and Division 220 Local Chairman Scott Carney. •

# BLE appeals bitter NMB split decision to destroy operating crafts at Terminal RR

## TRRA

Continued from Page 1

owning approximately 200 miles of track in Missouri and Illinois. The engineers' seniority roster consists of 46 BLE-represented employees. The switchmen's seniority roster consists of 160 names with 118 employees in active service represented by the UTU. Forty-one of the 46 employees listed on the engineers' seniority roster are also listed on the switchmen's seniority roster.

In his dissent, DuBester talked at length about the Union Pacific case (see related story on Page 1) and the labor panel's ruling in favor of the BLE.

"Many of the essential considerations that are before the Board in this case were placed before the panel and Board in the Union Pacific case," DuBester said. "For that reason, this dissent is, in essence, an affirmation of that prior Board order adopting the panel's determination."

He added, "Similar to Union Pacific, the engineers at TRRA have constituted a separate craft or class, and have been represented as such for collective bargaining purposes since 1889. Against this background, the critical inquiry here is whether there is an adequate basis to depart from this traditional craft or class by finding that this craft or class no longer retains its distinctive attributes. In my view, those circumstances do not exist."

DuBester knocked down the notion that the TRRA and the Florida East Coast Railroad (FEC), which has a craft and class of train and engine service employee, are similar situations. "Unlike FEC," DuBester said, "there is no evidence in this case that TRRA's engineers, trainmen, and conductors are

extensively interchanged and materially cross-utilized."

DuBester pointed out obvious distinctions between the operating crafts on the TRRA which the majority conveniently overlooked, including the fact that locomotive engineers must be certified and licensed to do their jobs by the Federal Railroad Administration.

In defending the distinction between the operating crafts on the TRRA, DuBester said, "While the work and working conditions of engineers, conductors, and trainmen is inter-related to some degree, their primary job functions are not substantially similar. As the majority acknowledges, the primary function distinguishing engineers from trainmen 'is that engineers operate locomotive units using train handling skills that assure on-time/on-plan movement, fuel efficiency, rule compliance, derailment prevention, and safety.' This is not inconsequential. It is why engineers today require a Federal certification and why trainmen and conductors are treated differently under Federal Railroad Administration Certification regulations."

"The evidence and circumstances here do not demonstrate that the engineers' distinctive core duties have been altered so as to justify a departure from the longstanding, traditional craft or class," DuBester said. "If future evolution in the railroad industry eliminates the distinctive core functions of operating employees, then this craft or class issue could be properly reevaluated."

"Moreover," DuBester said, "the NMB's role in determining craft or class should not be confused with the responsibilities and decisions of autonomous labor organizations."

In its petition for reconsideration, the BLE cited a 90-day test period in which — out of 1,957 assignments — only 19 locomotive engineer assignments were performed by train service employees. The BLE also cited the fact that of 4,227 train service assignments, only 26 were performed by engineers. The BLE questioned how the NMB could use such "fuzzy math" to rule that "over 1/3" of the engineers

worked both as engineers and switchmen during the 90-day test period.

"That is, by no stretch, the significant material cross-utilization which is the unconditional prerequisite for combining the two separate crafts," the BLE stated in its petition. "For that reason alone the Board was duty bound by its own long line of consistent decisions to dismiss UTU's instant application."

The BLE also argued that the NMB majority "closed its eyes" to a myriad of long-standing decisions regarding craft structure and substituted "an alternate series of criteria which it ultimately applied, purporting to justify creating a combined engine and train service craft or class."

Further, the BLE argued that while

the NMB claims to have made the TRRA ruling in an effort to "promote stable collective bargaining and the peaceful resolution of disputes," it will only succeed in creating chaos and instability if the TRRA ruling is allowed to stand.

"Indeed, any knowledgeable observer of the (rail) industry would understand that, if anything, instability and chaos would likely result from upsetting the historical pattern of the separate representation of engineers."

The BLE blasted the NMB majority's reasoning that the crafts should be combined because they "share a community of interest," accusing the NMB of downplaying differences in core duties and emphasizing a "smattering of mundane similarities in the incidental aspects of the job functions."

"The majority's determination to paint a distorted picture by emphasizing the 'similarities' of the clearly distinctive jobs is incredible at best and disingenuous at worst," the BLE petition states. "Indeed, the 'logic' of the majority's position also would mean that pilots and flight attendants have similar job functions and duties because, although only pilots operate the aircraft, both classes of employees inspect equipment, work on airplanes, share similar work schedules, communicate with passengers, and practice safe work habits. At bottom, the manner in which the majority has diminished the importance of and the uniqueness of the engineer's functions plainly appears explicable only as a result driven initiative: to end the separation of two decidedly different crafts."

A complete copy of the BLE's petition for reconsideration, as well as the NMB's TRRA ruling, are both available at [www.ble.org](http://www.ble.org). •

**"The majority's determination to paint a distorted picture by emphasizing the 'similarities' of the clearly distinctive jobs is incredible at best and disingenuous at worst."**

— BLE petition for reconsideration

## Public Service Announcement

# Vietnam vets eligible for assistance with Agent Orange-related illnesses

Special health care and compensation benefits are available to the 2.6 million men and women who served in Vietnam between 1964 and 1975, the Department of Veterans Affairs announced in a recent public service message.

Those discharged during that period, regardless of where they served, are the largest group of veterans receiving VA health care and monthly disability compensation. Yet, a relatively small percentage of their service-connected disability claims are for illnesses scientists have listed as being associated with Agent Orange.

The Department of Veterans Affairs is concerned Vietnam veterans may regard a disease associated with the aging process (such as prostate cancer), or just another illness, rather than the result of their military service in Southeast Asia. The VA wants these Vietnam veterans to know that they may be eligible for compensation and health care for certain diseases associated with Agent Orange, the defoliant sprayed to unmask enemy hiding places in the jungles throughout Vietnam.

VA presumes that all military personnel who served in Vietnam were exposed to Agent Orange, and VA benefit law presumes that certain illnesses are a result of that exposure. This presumptive policy simplifies the process of claiming compensation for these diseases since VA forgoes the normal requirements of proving that an illness began or was worsened during military service.

Based on clinical research, the following diseases are on VA's Agent Orange list of presumptive disabilities: chloracne, Hodgkin's disease, multiple myeloma, non-Hodgkin's lymphoma, porphyria cutanea tarda, respiratory cancers (lung, bronchus, larynx and trachea), soft-tissue sarcoma, acute and subacute peripheral neuropathy and prostate cancer. In addition, monetary benefits, health care and vocational rehabilitation services are provided to Vietnam veterans' children with spina bifida, a congenital birth defect of the spine.

Veterans who served in Vietnam during the war also are eligible for a complete physical examina-

tion. If a VA physician suspects a disease might be related to Agent Orange, VA will provide free medical care. Those who participate in the examination program become part of an Agent Orange Registry and receive periodic mailings from VA about the latest Agent Orange studies and new diseases being compensated under VA policies.

Vietnam veterans and their families can contact VA for more information about these benefits. For the Agent Orange registry physical examination, call a local VA hospital or clinic listed in the government pages of your phone book. To file a compensation claim for a current disability related to Agent Orange, veterans can call (800) 827-1000 for an application for or visit VA's Website at: <http://vabenefits.vba.va.gov>.

(BLE Editor's Note: This public service announcement was provided by the U.S. Department of Veterans Affairs, Office of Public Affairs, Washington DC 20420.) •

# BLE NEWS

## NMB rejects UTU bid for representation election

### Union Pacific

Continued from Page 1

absent a demonstration of material error of law or fact or under circumstances in which the NMB's exercise of discretion to modify the decision is important to the public interest. The mere reassertion of factual and legal arguments previously presented to the NMB generally will be insufficient to obtain relief."

In January 1998, the UTU launched its desperate campaign to represent all operating employees on the Union Pa-

cific Railroad and put the BLE out of business. Now, two years later, the UTU finds itself on the losing end after spending nearly \$5 million in its ruinous UP initiative. One year ago, a special labor panel appointed by the NMB to rule on this alleged UP representation dispute unanimously decided to support the BLE's position. On March 2, the UTU filed a motion for reconsideration with the NMB and hoped it could win on appeal. Clearly, that strategy has crashed and burned as well.

The full text of the NMB's Union Pacific decision is available on the BLE website at [www.ble.org](http://www.ble.org). •

## Bush transition teams show heavy pro-management bias

### Bush

Continued from Page 1

New York and New Jersey, and former SEPTA General Manager David Girard-DiCarlo.

Eisenburg's Port Authority has made a number attempts to take its PATH commuter rail system out from under the jurisdiction of the Federal Railroad Administration and all railroad industry federal laws. If successful, these attempts would have dire consequences for the employees of the Port Authority rail system.

Girard-DiCarlo may also be a familiar name to BLE members. During his tenure as SEPTA's General Manager, he presided over the 108 day lock-out of BLE members and other SEPTA workers in 1983. This strike was devastating for the members and their families, although it fell short of its union-busting goal.

Things do not look much better on the labor transition advisory team. On that team, labor is out-represented 21-2.

The two labor members are both from the International Brotherhood of Teamsters, John Murphy and Carlow

Scaif. Union Pacific and other transportation employer interests also successfully infiltrated this team.

The BLE and labor knew that it would be a rocky road ahead with another Bush Administration and this transition team clearly demonstrates that our concerns were valid.

On the brighter side, Transportation Labor applauded the nomination of Norm Mineta as Secretary of Transportation.

"Mineta is a tremendous leader who understands the freight and passenger transportation needs of our nation," said Sonny Hall, President of the AFL-CIO's Transportation Trades Department. "To that end, we look forward to working with (him), a strong supporter of transportation workers during his distinguished career in public office."

Mineta is currently Secretary of Commerce and a former chairman of the House Public Works and Transportation Committee.

Mineta's overarching reputation is as a bipartisan pragmatist whose ideology is to rebuild America's aging transportation infrastructure and to find ways to pay for it. •

## JANUARY 2001 CALENDAR & EVENTS

### MAY 30-JUNE 2, 2001... 61st Annual International Western Convention, Denver.

Come to Denver for the "Mile High" convention where a room rate of \$105 per night has been secured at the Hyatt-Regency Tech Center, good for three days before and after the convention. To receive this discount rate, hotel reservations must be made by May 6, 2001, at (800) 233-1234. Reduced airline fares via United Airlines are available through Travel Organizers by calling (800) 283-2754. There will be a golf tournament, tour of the Denver Mint, Ocean Journey, Denver botanical gardens, and a barbecue at the Colorado Railroad Museum. Questions should be directed to IWC Chairman Skip Colyer by phone (970) 225-9716, by fax (970) 223-5794, or by e-mail <[BofLE2001@aol.com](mailto:BofLE2001@aol.com)>.

### JUNE 24-28, 2001... 74th Southeastern Meeting Association in Pine Mountain, Ga.

Chairman W.J. Spriggs Jr. and members of BLE Division 779 (Manchester, Ga.) are hosting this year's convention at Callaway Gardens resort. Members interested in attending can contact Brother Spriggs at (706) 989-0064.

### AUGUST 20-24, 2001... Eastern Union Meeting Association in Atlantic City, N.J.

At the Tropicana Hotel & Casino in Atlantic City, N.J. Conference registration begins at 3 p.m. on Monday, August 20, and hotel check-out is Friday, August 24. A room rate of \$105 per night has been secured throughout the conference, as well as a one-time valet parking fee of \$2. Room reservations can be made by calling (800) 247-8767. Those calling must state they are attending the "Eastern Union Meeting Association of the Brotherhood of Locomotive Engineers." Further details to come when available. Please direct questions to EUMA Arrangements Chairman Sonny Kertesz at (732) 458-7642 or <[sonny912@aol.com](mailto:sonny912@aol.com)>.

### SEPTEMBER 24-28, 2001... BLE Seventh Quinquennial International Convention

At the Fontainebleau Hotel in Miami, Fla. More details to come when available.

## Advisory Board December Activity

By action of the delegates at the Fifth Quinquennial Convention, summaries of BLE Advisory Board members' activities are published monthly:

**International President Edward Dubroski**—International Office: General supervision of BLE activities; Publications committee; Mtg. w/ CN Chief Operating Officer E. Hunter Harrison, First VP McCoy and Gilles Hallé, BLE Canadian Director & Vice-President; Attended BNSF Christmas Party, Kansas City Divisions 75, 130, 777; TTD mtg.; CRO mtg.; Mtg. w/ BLE Division 182; Kansas City Divisions 61, 81, 107, 120, 491, 502; Division 157, New Jersey; Vacation.

**First Vice-President & Alternate President James L. McCoy**—FVP duties, contacted GCafAs, SLBCs, telephone calls, correspondence, etc.; SOFA mtgs., Washington, Florida; BLE ID holiday luncheon; Division Christmas party.

**General Secretary-Treasurer Russ Bennett**—International Office: Supervision of BLE Financial depts.; Records Dept.; BLE Job Bank; Publications Cmte.; SOFA mtg.; Division 88 (North Platte, Neb.) Christmas party; Mtgs. w/ Div. 88 local officers & members; BLE ID holiday luncheon.

**Vice-President Paul T. Sorrow**—Mtg. w/ Grand Trunk management to correct engineer seniority rosters; Mtg. w/ GC Karakian and negotiating committee to discuss pressing issues on the GTW; Visited w/ Divisions 607, 257, 447, 4, 385, 537, 106 and 239; Assisted w/ CSX single agreement negot.; Hearings as Board member, SBA 1063 and PLB, NS; Advisory Board mtg.; Mtgs. in Memphis, Tenn., at request of CSX-Western GCA and Local Chairmen having jurisdiction; Reviewed various SBA and PLB decisions and finalized awards on CSX and NS; Preliminary work on Arbitration Board for NS-Eastern; In-depth review of files for upcoming Wage/Rules negotiations; Assisted GTW, NS and CSX general committees w/ various issues; General office duties.

**Vice-President Joseph A. Cassidy Jr.**—Mtg. w/ grievance committee, DM&IR; Mtg. w/ General Chairman Delano & committeeman Stauber; DMIR contract negotiations; Mtg. w/ Div. 163; Represent engineer at railroad disciplinary hearing; Mtg. w/ management of Elgin, Joliet & Eastern; Set up Public Law Board, EJ&E; Mtg. w/ General Chairman Ormes; Mtg. w/ members at division mtg.; General office duties, study; Prepare for PLB 6360; Write Ex Parte submission for discipline case; Write brief to PLB; Long Island Rail Road, run recertification trains.

**Vice-President & U.S. Nat'l Legislative Representative Leroy D. Jones**—Washington office; AFL-CIO leg. mtg.; TTD leg. mtg.; Meet-n-greet Cong.-Elect Schiff (D-CA), Cong.-Elect McCollum (D-MN); Receptions, Cong. Napolitano (D-CA), Senator Reed (D-RI), Cong. Lampson and Edwards (D-TX); Mtg. w/ S-T, HSGTA; Reception: Cong. Obey (D-WI), Cong. Pomeroy (D-ND); FRA RSAC mtg.; AFL-CIO political directors mtg.; AFL-CIO labor luncheon; High speed ground gov't. relations committee mtg.; AAR's holiday reception; Office; Holiday; TALGO reception at Spanish Ambassador's residence.

**Vice-President William C. Walpert**—ID Office; BLE Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; BLE Safety Task Force; On-property negotiations, Union Pacific, Omaha; Div. 182 Christmas party, North Little Rock, Ark.; MidSouth and Southrail mobilization mtg., Vicksburg, Ms.; Ballot count on SEPTA, NMB offices, Washington DC; New York Dock negotiations on terminal consolidations on KCS and Gateway Western, Kansas City, Mo.

**Vice-President Edward W. Rodzicz**—Norfolk Southern-Eastern region, Imperial; Special Board of Adjustment 894; Award 1666; Vacation; Assignment under direction of President Dubroski, Cleveland.

**Vice-President Don M. Hahn**—BNSF system including MRL, UP South & West, SP East & South, SSW, DLGW, Tacoma Belt, Pac Harbor Belt; General office duties; BNSF wage/rule payroll issues; Galveston local negotiations; UP system on-property Sec. 6 mtg.; C&NW seniority issues; San Antonio UP Divs. 197 & 307 Christmas party; Holiday.

**Vice-President Richard K. Radek**—International Office; BLE Decertification Helpline services; Director of Arbitration Dept; National Railroad Adjustment Board (NRAB); Illinois Central; Wisconsin Central; Indiana Harbor Belt; METRA; Belt Rwy. of Chicago; Paduca & Louisville; Chicago Central & Pacific; SAC-P committee, CNIC, CC&P negotiations; Various NRAB arbitration; WC negotiations; Part 240.409 dockets, EQAL 97-05, 98-84, 99-21, 98-67.

**Vice-President Dale McPherson**—I&M Rail Link; CP Rail/SOO, UP East Lines; Indiana Railroad Co.; M&NA; LP&N, Longview Sw. Co. TRRA-St. Louis; Pacific Harbor Line; General office duties; Indiana Railroad agreement; Section 6 mtgs., UP w/ GC M.A. Young; CNW Div. Omaha seniority dispute; Div. 183 mtg.; Los Angeles PHL; Mtg. Division 214, PHL, GC J. Mullen; Travel to MSP; Holiday.

**Vice-President & Canadian Director Gilles Hallé**—CN national negotiations, Montreal; Board mtg., Cleveland; Mtg. w/ CN Rail; Mtgs. w/ CP Rail, pension issues; VIA Rail arbitration; Mtg. w/ R. Dixon, CN Rail; Ottawa office; Holiday.

**Vice-President & National Legislative Representative-Canada T. George Hucker**—Ottawa Office; Canadian National Legislative Board; Mtg. w/ Harbour Commission; Office work; Div. 562 retirement banquet; Core disability management cmte. mtg.; Mtg. w/ CPR; National Legis. Bd. exec. cmte. mtg.; CPR CTA review cmte.; Mtg. w/ NLB accountant; Mtg. w/ Dale Jackson, Algoma Central GC; Holiday.

## Decertification Helpline

(800) 393-2716

The railroad industry's first and only hotline for engineers facing possible decertification events, offered exclusively by the Brotherhood of Locomotive Engineers.



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**Brotherhood of Locomotive Engineers**  
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