



Daily news updates
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Locomotive

ENGINEERS & TRAINMEN NEWS

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Photo: International Brotherhood of Teamsters



WNY&P shortline workers say YES to BLET

Train and engine service employees at the Western New York & Pennsylvania (WNY&P) Railroad have voted overwhelmingly to join the Brotherhood of Locomotive Engineers and Trainmen.

The National Mediation Board certified the election results on November 17. BLET First Vice President Paul Sorrow said the union is anxious to begin negotiations with management of the roughly 110-mile short line.

"Our goal is to get off on the right foot and begin positive negotiations with management as quickly as possible," Sorrow said. "A good union contract will demonstrate to the WNY&P workers that they made the right decision by saying 'yes' to the BLET and Teamsters. Also, thanks to Tommy Miller for a job well done."

Miller, the BLET's Director of Organizing, thanked all WNY&P workers for attending the BLET's informational meetings during the six-week organizing campaign. He also thanked New York Susquehanna & Western General Chairman Ben Martin for his expertise and assistance throughout.

"Following the organizing campaign, work now begins on negotiating a fair and equitable union contract to give workers the protection and respect they deserve," Miller said.

The WNY&P operates roughly 350 miles of track, running east and west between Hornell, N.Y., and Rouseville, Pa., and north and south from Olean, N.Y. to Driftwood, Pa., and from Olean to Machias, N.Y.

The railroad has daily coal train runs and mixed-use service runs between Meadville and Olean, N.Y. Other local businesses served include Dad's Pet Products, Meadville Metals, Universal Well Services, Lord Corp., and Erie Plastics.

WNY&P interchanges with CP Rail, Norfolk Southern, Buffalo & Pittsburgh, New York & Lake Erie, and the Oil Creek & Titusville Lines. ©

With the WNY&P victory, the BLET has successfully organized more than 20 shortline railroads since 2002.

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Presidential Policy

BLET NATIONAL PRESIDENT ED RODZWICZ met with President-Elect Barack Obama on the campaign trail prior to his historic election victory in November 2008. President Rodzwicz said then-Senator Obama was gracious and friendly during their brief meeting. President Rodzwicz said the future President of the United States told him he was a supporter of rail as a major tool for reducing

America's dependence on foreign oil. ¶ On January 17, President-Elect Obama and his family will take an Amtrak train from Philadelphia to the inauguration ceremony in Washington, D.C. The train ride will demonstrate his support for passenger rail and will also replicate the last leg of Abraham Lincoln's historic inaugural journey to Washington in 1861. ©

BLET, labor win big in FMLA arbitration

In a decision received December 8, a panel of three arbitrators ruled that the Family and Medical Leave Act (FMLA) policies of the four largest Class I railroads (BNSF, CSXT, NS and UP) violate the industry's national vacation and personal leave agreements. Among the victors are BLET members working for these railroads.

The BLET, along with ten other unions, had challenged carrier policies that required workers to use paid vacation and personal leave when taking FMLA leave in certain circumstances. Nearly two years ago the United States Court of Appeals for the 7th Circuit affirmed a lower court rul-



ing that the law did not permit the carriers to override collective bargaining agreement provisions that gave workers control over scheduling paid leave. When the Su-

preme Court declined to hear the industry's appeal, the stage was set for the arbitration of the matter.

The arbitration panel held that "the parties' contracts at issue here do, as the District Court posited ... 'grant employees rights in addition to the accrual of vacation and/or personal leave, such as the right to determine when to use their accrued vacation and/or personal leave.' ... In all cases, employers may not unilaterally change scheduled vacations without good cause and appropriate notice. ... [O]nce those days are set, no unilateral employer changes may occur

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Photos: iStock

Summary Annual Report

For BLET Disability and Welfare Benefit Trust Fund. **pg 4**



Scholarships

The annual BLET Scholarship Directory helps children of BLET members prepare for college. **pgs 6-7**

Last Runs

Several BLET members are now enjoying retirement, including long-time General Chairman Ray Wallace. **pg 5**

2009

Calendar & Events

February 23-26, 2009
BLET Education & Training Department Secretary-Treasurer Workshop

The BLET Education & Training Department is conducting a workshop for BLET Secretary-Treasurers at the Hilton hotel in Vancouver, Wash. Register online at <http://www.ble-t.org/st>. For details, contact Ken Kroeger, Kroeger@ble-t.org, or call (216) 272-0986.

March 1-6, 2009
BLET Education & Training Department Legislative Representative Workshop

The BLET Education & Training Department is coordinating a workshop for all BLET Legislative Representatives at Teamster headquarters in Washington, D.C. Registration is on a first come, first served basis. Register online at <http://www.ble-t.org/lr>. For details, contact Ken Kroeger, Kroeger@ble-t.org, or call (216) 272-0986.

March 22-28, 2009
Advanced Local Chairman Workshop

The BLET Education & Training Department will conduct an Advanced Workshop for all BLET Local Chairmen at the University of Illinois in Champaign, Ill. Prerequisites for the class include: Successful completion of the first Local Chairman Workshop; and you must be a current Local Chairman or on the Local Committee of Adjustment. Registration is on a first come, first served basis. Register online at <http://www.ble-t.org/lc>. For details, contact Ken Kroeger, Kroeger@ble-t.org, or call (216) 272-0986.

June 7-12, 2009
82nd Annual Southeastern Meeting Association, Gatlinburg, Tenn.

Brother John Mason, Local Chairman of BLET Division 239 (Knoxville, Tenn.), is Chairman of the 2009 SMA in Gatlinburg, Tenn. It will be held at the Park Vista Hotel & Conference Center (705 Cherokee Orchard Road, Gatlinburg, TN 37738; Phone: (865) 436-9211). The room rate will be \$103 per night. To contact Brother Mason, call (865) 523-2684 email: scooterloco@comcast.net or LN67@comcast.net.

July 5-9, 2009
71st Annual Eastern Union Meeting Association, Philadelphia, Pa.

Brother Sean Simon, Vice President of BLET Division 226 (Newark, N.J.), is Arrangements Chairman of the 2009 EUMA in Philadelphia, Pa. It will be held at the Hyatt Regency Philadelphia at Penn's Landing (201 S. Columbus Blvd., Philadelphia, PA 19106; Phone: (215) 928-1234. The room rate will be \$169 per night. To contact Brother Simon, call (609) 558-6405 or email: EUMA2009@aol.com.

BROTHER SIMON NOTES THAT THE EUMA IS MAKING AVAILABLE A LIMITED NUMBER (40) OF ROOMS AT \$199 PER NIGHT FOR THE JULY 4 WEEKEND (JULY 2, 3, 4). THIS WILL COINCIDE WITH PHILADELPHIA'S "WELCOME AMERICA" CELEBRATION, WHICH INCLUDE FREE CONCERTS AND FIREWORKS ON THE WATERFRONT, IMMEDIATELY ADJACENT TO THE HOTEL. DEADLINE TO BOOK THESE ROOMS IS FEBRUARY 28, 2009, AFTER WHICH THEY MUST BE RELEASED BACK TO THE HOTEL. THE CONVENTION RATE (\$169 PER NIGHT SINGLE OR DOUBLE OCCUPANCY, ADDITIONAL FOR TRIPLE OR QUADRUPLE OCCUPANCY) IS ALSO AVAILABLE FOR THE THREE DAYS FOLLOWING EUMA, AND ALSO MUST BE BOOKED PRIOR TO FEBRUARY 28.

BLET names Steve Bruno director of regulatory affairs

The Brotherhood of Locomotive Engineers and Trainmen has named Stephen J. Bruno to the position of Director of Regulatory Affairs. He was hired in November and will work out of the BLET's National Legislative Office in Washington, D.C.

Brother Bruno joined the BLET in 1985 after earning promotion to the position of locomotive engineer by the Southeastern Pennsylvania Transportation Authority (SEPTA). In 1987, he became the Local Chairman of Division 71 and held that position until 2002. He held the position of General Chairman from 1989-2002.

During his many years of BLET membership, he also held the positions of Alternate Vice President, Chairman of the Eastern General Chairmen's Association, and chairman of the joint caucus at the 2006 National Convention.

"I look forward to working with the Legislative Department," Bruno said. "I am going to do my best to make the workplace safer for all BLET members."

In his new role as Director of Regulatory Affairs, Bruno will represent the BLET on numerous collaborative endeavors (such as the Rail Safety Advisory Committee with the FRA); prepare the union's comments submitted in response to various agencies' proposals for rulemakings and proposed rules (such as the Federal Railroad Administration, Department of Transportation, Transportation Security Administration and Surface Transportation Board); and prepare comments submitted



Photo: BLET National Legislative Office

A Hard Working Brother. Steve Bruno, a member of Division 71 (Philadelphia), at work in his new role as BLET's Director of Regulatory Affairs.

in response to petitions for waiver from compliance with FRA regulations.

Vice President & National Legislative Representative John Tolman welcomed Bruno to the staff.

"Brother Steve brings a wealth of knowledge and enthusiasm to the position of Director of Regulatory Affairs and I look forward to working with him," Tolman said. "He has held many positions within the BLET and, in all of them, he has worked hard and implemented many innovative

ideas, which I am sure will serve the National Legislative Office well."

Bruno fills the position previously held by Tom Pontolillo, who was named Director of Research and Assistant to the President in April of 2008.

"Brother Bruno will do an excellent job in his new post," BLET National President Ed Rodziewicz said. "The BLET National Legislative Office made a wise decision in hiring him and I am sure he will work tirelessly in serving our membership." @@

FMLA arbitration

CONTINUED FROM PAGE 1 <->

without meeting specified contractual standards. These are not insignificant contractual benefits."

The panel also found that "clear contract language and similar consistent arbitral precedent protect use of personal leave days and individual vacation days from arbitrary or unreasonable unilateral employer action unrelated to operational needs or other contractual standards." The Award states "The carriers' policies requiring employees to substitute paid vacation and/or paid personal leave for unpaid FMLA leave do violate the requirements of the national vacation and/or national personal leave agreements."

According to the Arbitration Agreement, the Award becomes effective on December 16, 2008. On that date, the Agreement provides that "the carriers will immediately discontinue the invalidated provisions of [their] policies." The arbitrators then will consider "the appropriate remedy for employees who were required to use paid leave for FMLA leave in violation of the national vacation and/or national personal leave agreements." Assuming no agreed-upon extensions, initial submissions on that question will be due January 15, 2009, and reply submissions on January 30. A hearing then would be held by February 13, with a decision to be issued by April 14.

BLET National President Ed Rodziewicz congratulated those who made this victory possible, and thanked the BLET membership for their patience. "I want to congratulate, first and foremost, Mike Wolly, Margo Pave and the legal team who put on a great case, and our General Chairmen

who persisted in keeping this struggle alive on the property and providing us with the data we needed to win. I also want to express my most sincere thanks to the Brothers and Sisters on BNSF, CSXT, NS, and UP for hanging in there throughout the many years that have passed while we

fought to vindicate their vacation and personal leave rights." @@

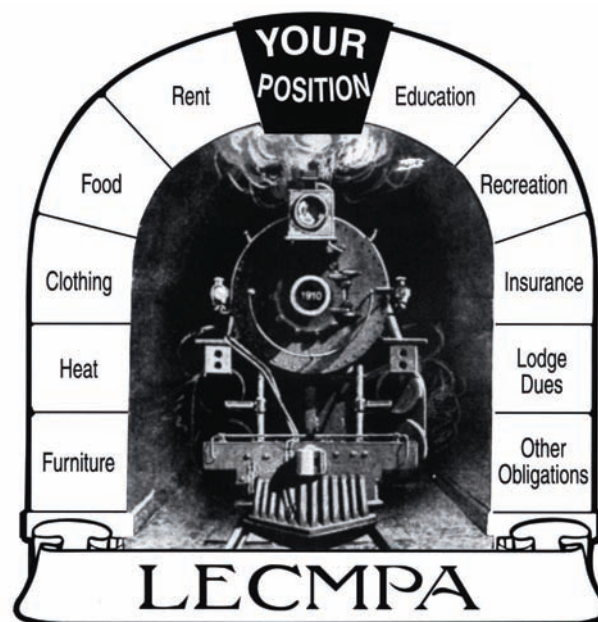
THE AWARD IS AVAILABLE FOR DOWNLOAD AS A PDF FROM THE BLET WEBSITE AT: [HTTP://WWW.BLE-T.ORG/PR/PDF/JSCASENo3750.PDF](http://www.ble-t.org/pr/pdf/JSCASENo3750.pdf)

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*Job Protection Headquarters for Transportation Employees
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Meany Center offers 2009 hazardous materials awareness training

The Rail Workers Hazardous Materials Training Program will conduct the following hazardous materials transportation/chemical emergency response training programs on the George Meany Campus in Silver Spring, Maryland:

MARCH 29-APRIL 3, 2009

APRIL 26-MAY 1, 2009

MAY 3-8, 2009

The training, eligible for three academic credits from the National Labor College, addresses OSHA and DOT required procedures and different levels of response and worker protection in a hazardous materials emergency or release, weapons of mass destruction awareness, the incident command system, as well as components required to complete OSHA 10-Hour Outreach Training card for General Industry standards. Training includes advanced classroom instruction, small group activities, intensive hands-on drills and a simulated hazmat response in full safety gear.

The Rail Workers Hazardous Materials Training Program is funded to pro-

vide this training by a federal grant from the National Institute of Environmental Health Sciences (NIEHS) and also sponsored in part by funding from the North American Railway Foundation (NARF). This funding will provide transportation, lodging, and meals for training participants. In addition, participants who are unable to secure regular pay through the railroad to attend training are eligible for a stipend of \$550.00.

Completed registration forms should be faxed, mailed or e-mailed to the Hazmat office as soon as possible. Check the Rail Workers website for schedule updates and to register online: <http://www.nlc.edu/~bcantrell/register.htm>

The application is available as a PDF: <http://www.ble-t.org/pr/pdf/08-09-hazmat.pdf> @@

Railway Workers Hazardous Materials Training Program

10000 New Hampshire Avenue
Silver Spring, Maryland 20903
(301) 439-2440
(301) 628-0165 -fax
hjajuga@nlc.edu



Breathe easy. Members learning the basics of oxygen mask safety.



Containment. Quickly securing a damaged 55-gallon drum can save many lives.



Learning from our peers. Brother Gary Quick of BLET Division 362 in LaGrande, Ore. (back to the camera) is an instructor at Meany Center.

Photos: International Brotherhood of Teamsters

Teamsters Rail Conference will fight proposed rule weakening regulation of toxic chemicals

The Teamsters Rail Conference pledged to fight a new Labor Department rule proposed by the Bush administration that would make it much harder for the government to regulate toxic substances and hazardous chemicals that workers get exposed to on the job.

The proposed rule is supported by rail corporations and would further delay the development of workplace safety standards designed to protect workers' health. President-elect Barack Obama opposes the rule.

"All workers deserve safe work places," said Jim Hoffa, Teamsters General President. "It's not surprising that the Bush administration would try to push through this new rule as a gift to big business before leaving office. The Teamsters will work with the new

Congress and the Obama administration to overturn this outrageous rule if it gets issued."

Rail workers are increasingly exposed to hazardous materials as freight rail and passenger rail traffic has increased across the country.

"If this rule gets pushed through by the Bush administration, it will mean more rail workers becoming ill from exposure to materials that they are not trained to handle safely," said Fred Simpson, Teamsters Vice President and President of the Brotherhood of Maintenance of Way Employees Division (BMWED).

A two-page pamphlet or 10-minute video presentation are the only evidence of a so-called training program that a rail corporations offer workers, despite their claims that workers are adequately trained on the safe

handling of hazardous materials.

"Some of our members have died as a result of exposure to toxic chemicals such as nuclear waste, anhydrous ammonia and chlorine," said Ed Rodziewicz, President of the Teamsters Rail Conference and National President of the Brotherhood of Locomotive Engineers and Trainmen (BLET). "Had they had the proper training and safety equipment, lives might have been saved."

The Teamsters Rail Conference represents the more than 35,000 locomotive engineers and trainmen of the BLET and 35,000 maintenance of way workers of the BMWED on freight, passenger and commuter rail lines across the United States. The Conference is a division of the International Brotherhood of Teamsters. @@

BLET AUXILIARY

There is no "I" in Brotherhood



BY BECKY SCHNEIDER

NATIONAL PRESIDENT
BLET AUXILIARY

Aswemakeour New Year's resolutions, how about considering a new one. It has nothing to do with getting into better shape or eating right, although those aren't bad ideas. It involves mak-

ing the effort to remember what the Brotherhood means and why it came about.

Corporate greed and outrageous CEO salaries have made a comeback, driving our economy to the brink and leaving behind the dedicated working men and women who made their extraordinary profits possible. The robber barons who started railroads in the late 1800s have not really changed that much. They have only found new ways to work around Federal regulations.

At times it seems we may have forgotten the strides made by our predecessors, who banded together, literally giving their blood, sweat, tears, and in many cases, their lives to

create a safer work environment and living wages for those that followed. Our founding fathers had to meet in secret for fear of losing their jobs. And while many did lose their jobs, they forged ahead with resolve and unity dedicated to a cause much greater than any individual cause. They supported one another on the job and in their communities in the true spirit of Brotherhood. They united together, fully realizing that the strength of the Union is much greater than the individual components from which it is comprised, and that we are bound together by the principles of Brotherhood.

The insidious threat facing our members today is the loss

of those unbreakable ties that bound railroaders together in solidarity to fight the untenable railroads they worked for. We must never allow complacency, ideologies or any personal differences to erode our resolve to protect and defend one another. There is no "I" in Brotherhood. It's about all of us standing together, united as one, to make the Union stronger and everyone's life a little bit better.

While we have made progress from those days of old when railroaders died on the job by the thousands while working for starvation wages, let us never forget that in times of peril it was our unity and spirit of Brotherhood that enabled us to survive and ulti-

mately prevail. If ever there was a time in our history that demanded solidarity that time is now. There is no magic wand that will erase the problems, but through unity and adherence to the principles of Brotherhood we can manage the problems and collectively find solutions to such problems that will serve our members.

As we begin the New Year, let us reflect on the past and profit from our mistakes. Let us look forward to the future with renewed energy and strength dedicated to the principles of Brotherhood with total support of our Union and its elected Leaders. We are, after all, our Brothers' and Sisters' keepers. @@

HEALTH CARE / INSURANCE

Year 2009 Railroad Retirement and Unemployment Insurance Taxes

The amounts of compensation subject to railroad retirement tier I and tier II payroll taxes will increase in 2009. However, the tier I tax rate on employees and employers remains unchanged. Under the Railroad Retirement and Survivors' Improvement Act of 2001, tier II tax rates are determined annually by an average account benefits ratio. Based on this ratio, the tier II tax rates on employees and employers will remain at their 2008 level in 2009. Railroad unemployment insurance tax rates paid by employers will continue to include a 1.5 percent surcharge in 2009.

TIER I AND MEDICARE TAX — The railroad retirement tier I payroll tax rate on covered rail employees and employers for the year 2009 remains at 7.65 percent. The railroad retirement tier I tax rate is the same as the social security tax, and for withholding and reporting purposes is divided into 6.20 percent for retirement and 1.45 percent for Medicare hospital insurance. The maximum amount of an employee's earnings subject to the 6.20 percent rate will increase to \$106,800 in 2009 from \$102,000 in 2008, but there is no maximum on earnings subject to the 1.45 percent Medicare rate. The increase in the amount of earnings subject to railroad retirement and social security taxes



is based on indexing to increases in average national wages.

TIER II TAX — The railroad retirement tier II tax rate on employees will remain at 3.9 percent in 2009, and the rate on employers will remain at 12.1 percent. The maximum amount of earnings subject to railroad retirement tier II taxes, however, will increase to \$79,200 in 2009 from \$75,900 in 2008. Tier II tax rates under the 2001 Railroad Retirement and Survivors' Improvement Act are

based on an average account benefits ratio reflecting railroad retirement fund levels. Depending on this ratio, the tier II tax rate for employers can range between 8.2 percent and 22.1 percent, while the tier II rate for employees can be between 0 percent and 4.9 percent.

UNEMPLOYMENT INSURANCE TAX — Employers, but not employees, also pay railroad unemployment insurance taxes, which are experience-rated by employer. The basic tax rates range from a minimum

of 0.65 percent to a maximum of 12 percent on monthly earnings up to \$1,330 in 2009, up from \$1,280 in 2008. However, the Railroad Unemployment Insurance Act also provides for a surcharge in the event the Railroad Unemployment Insurance Account balance falls below an indexed threshold amount, and such a surcharge of 1.5 percent applied in 2004-2008. Since the accrual balance of the Railroad Unemployment Insurance Account was \$122.5 million on June 30, 2008, which was less than the indexed threshold of \$130.1 million, a surcharge of 1.5 percent will again be added to the basic tax rates in 2009, but will not increase the maximum 12 percent rate.

The unemployment insurance tax rates on railroad employers in 2009 therefore will range from 2.15 percent (the minimum basic rate of 0.65 percent plus the 1.5 percent surcharge) to a maximum of 12 percent on monthly compensation up to \$1,330.

The 1.5 percent surcharge will not apply to new employers in 2009, and new employers will initially pay a tax rate of 2.61 percent, which represents the average rate paid by all employers in the period 2005-2007.

For 80 percent of covered employers, the unemployment insurance rate assessed will be 2.15 percent in 2009. ©

Photo: iStock

Lifetime maximum increases under GA-46000

Effective January 1, 2009, the lifetime maximum will increase from \$107,700 to \$113,000 under the Railroad Employees Early Retirement Major Medical Benefit Plan (ERMA or GA-46000).

The calculation of the new lifetime maximum was based on the October 2008 release of the Consumer Price Index. Under ERMA, covered expenses are reimbursed at 80% after a \$100 calendar year deductible. Eligible employees can also elect to enroll in GA-23111

Plan E, which pays 70% of the 20% not covered under ERMA after a \$100 calendar year deductible is satisfied (50% for non-confining mental & nervous expenses). The reimbursement coinsurance between the two plans is 94% of covered expenses.

Employees who are unsure of their eligibility for ERMA should contact the UnitedHealthcare Plan Administrator at 1-800-842-5252. A Customer Care Professional will provide additional information, answer

questions and/or provide coverage booklets and enrollment forms.

Employees are also encouraged to access www.myuhc.com/railroadinfo. UnitedHealthcare designed the Web site to serve as an additional resource for their railroad membership. It contains specific information about GA-46000 and GA-23111 Plan E, as well as various forms that can be printed, saving employees valuable time. ©

SUMMARY ANNUAL REPORT

for

Brotherhood of Locomotive Engineers and Trainmen Disability and Welfare Benefit Trust Fund

This is a summary of the annual report for the Brotherhood of Locomotive Engineers and Trainmen Disability and Welfare Benefit Trust Fund, 30-0262584/501, for 01/01/2007 through 12/31/2007. The annual report has been filed with the Employee Benefits Security Administration as required under the Employee Retirement Income Security Act of 1974 (ERISA).

The plan has a contract with Metropolitan Life Insurance Company to pay certain claims incurred under the terms of the plan. The total premiums paid for the plan year ending 12/31/2007 were \$6,807,185.

The value of plan assets, after subtracting liabilities of the plan, was \$4,220,308 as of 12/31/2007, compared to \$3,233,305 as of 01/01/2007. During the plan year the plan experienced an increase in its net assets of \$987,003. This increase includes unrealized appreciation or depreciation in the value of plan assets; that is, the differ-

ence between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year or the cost of assets acquired during the year. The plan had total income of \$8,056,508, including employer contributions of \$7,722,680 and earnings from investments of \$333,828. Plan expenses were \$7,069,505. These expenses included \$134,665 in administrative expenses and \$6,934,840 in benefits paid to participants and beneficiaries.

Your Rights to Additional Information

You have the right to receive a copy of

the full annual report, or any part thereof, on request. The items listed below are included in that report:

1. An accountant's report;
2. Financial information and information on payments to service providers;
3. Assets held for investment;
4. Transactions in excess of 5% of plan assets; and
5. Insurance information, including sales commissions paid by insurance carriers.

To obtain a copy of the full annual report, or any part thereof, write or call the office of the Brotherhood of Locomotive Engineers and Trainmen, who is Plan Administrator, at 1370 Ontario Street, Standard Building Mezzanine, Cleveland, OH, 44113-1702, (216) 241-2630. The charge to cover copying costs will be \$2.75 for the full annual report, or \$0.25 per page for any part thereof.

You also have the right to receive from the plan administrator, on request and at no charge, a statement of the assets and

liabilities of the plan and accompanying notes, if any, or a statement of income and expenses of the plan and accompanying notes, if any, or both. If you request a copy of the full annual report from the plan administrator, these two statements and accompanying notes, if any, will be included as part of that report. The charge to cover copying costs given above does not include a charge for copying of these portions of the report because these portions are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the plan at 1370 Ontario Street, Standard Building Mezzanine, Cleveland, OH, 44113-1702 and at the U.S. Department of Labor in Washington DC, or obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to: Public Disclosure Room, Room N-1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington DC 20210.



LAST RUNS

Division 511's D.E. Massie still going strong at 73

After 55 years of working on the railroad, and at the age of 73, Brother D.E. Massie finally decided he'd had enough.

A member of BLET Division 511 (Portsmouth, Ohio), Brother Massie retired on December 9, bringing to a conclusion his railroad career that began in 1953.

Born September 30, 1935, Brother Massie achieved further distinction by working full time for Norfolk Southern well past his 73rd birthday.

BLET National President Ed Rodziewicz sent a letter of commendation to Brother Massie, which was presented to him at a retirement party in Portsmouth, Ohio, on December 9.

"In this day and age of railroaders who retire at the earliest opportunity, I commend you for your dedication by working past your 73rd birthday," President Rodziewicz wrote. "Such an accomplishment is even more remarkable considering the

fact that the retirement age for railroad workers was reduced to 60 in 2001."

Also included in the letter was a 30-year membership pin. Brother Massie joined the Brotherhood on September 1, 1977.

The letter and 30-year pin were presented by Tim Hanely, Chairman of the BLET's Ohio State Legislative Board.

Massie was qualified on the route from Portsmouth, Ohio, to Bluefield, W.Va. The tracks along that route pass about 100 yards from his home, so he will still be close to the railroad even during retirement.

He hired out on the Norfolk & Western in 1953 and witnessed first hand the industry switch over from steam to diesel locomotives. The first engine he ever worked on was N&W steam locomotive #1461.

Old friends may contact Brother Massie by writing: 3022 County Rd. #1, S. Point, Ohio 45680. ©©



Dedicated Brother. D.E. Massie, center, with friends, co-workers and supporters at his last run on December 9 in Portsmouth, Ohio. Brother Massie is retiring at the age of 73 after a railroad career that began in 1953.



Retirees honored at LIRR 41st annual Dinner Dance: Two retirees of BLET Division 269 were honored at the 41st annual Long Island Rail Road Dinner Dance on November 8. Brother Gary L. Granger was honored for more than 30 years of dedicated service to the Brotherhood, while Sister Lorraine Fogarty was presented with a plaque for more than 27 years of service.

Photos: Division 269



Leaders of BLET Division 269 and invited guests from the BLET National Division were on hand to honor the retirees and thank them for their service. Front row, from left: Bill Walpert, National Secretary-Treasurer; Jim Brown, LIRR Vice General Chairman; Scott Decker, Division 269 President; and John Bove, Division 269 Secretary-Treasurer. **Back row, from left:** Mickey Quinn, LIRR General Chairman; Jim Daddino, Division 269 Legislative Representative; Marcus Ruef, National Vice President; and John Kavanaugh, Division 269.

Long serving BLET General Chairman Ray C. Wallace retired on December 1 after 46 years of dedicated service

Brother Wallace was one of the most influential and well respected General Chairmen in the Brotherhood, having served as General Chairman of the Norfolk Southern-Southern Lines General Committee of Adjustment since 1986.

"Congratulations to Brother Wallace on his well-deserved retirement," BLET National President Ed Rodziewicz said. "Not many General Chairmen spend 23 years on the job and I wish him and his wife Janie a happy and healthy retirement."

Also retiring is Brother Wallace's wife, Janie, who spent the last 23 years as executive secretary to the GCofA.

Brother Wallace's railroad career began on December 28, 1962, when he hired out as a brakeman for the Southern Railroad in Asheville, N.C. He began work as a conductor on July 19, 1966 and earned promotion to the right hand side of the cab on July 14, 1969 for the Southern.

Brother Wallace joined the Brotherhood on July 1, 1970, and almost immediately became involved in service to the membership. He served Division 267 (Asheville, N.C.) as Secretary-Treasurer



General Chairman Ray Wallace and his wife, Janie.

from 1973-1976 and Local Chairman from 1976-1986.

He began serving as General Chairman on January 21, 1986, and held that position for 23 years until his retirement on December 1.

He achieved many significant accomplishments during his long and distinguished career, including service on the National Wage/Rules Committee from 1989-1991.

In 1989, Brother Wallace helped defend the BLET's right to hold the locomotive engineers' contact on the Norfolk Southern property, successfully defeating an attempted raid by another rail labor union.

In 1992, he turned his efforts to the negotiating table and obtained the first Personal Leave Day agreement for engineers.

In 1996, he helped negotiate an on-property agreement with NS that provides a bonus plan to members.

He helped negotiate similar on-property agreements in 2000, 2003 and 2008. The 2008 agreement runs through 2014.

A lasting legacy of Brother Wallace is an important provision he helped negotiate in the 2008 contract that will protect the craft of locomotive engineer for years to come. The agreement institutes an important Scope Rule that protects the work of locomotive engineers in the face of new and changing technologies, but does not serve to eliminate any positions in any other craft.

Brother Wallace and his wife Janie have four children (Renee Brendle, Ray C. Wallace Jr., Mark Wallace and Bran-

don Wallace) and 10 grandchildren.

Daughter Renee resides in Charlotte, N.C. Her son, Alex Brendle, currently works for NS as a conductor and locomotive engineer, and belongs to BLET Division 166 (Charlotte, N.C.).

Son Ray C. Wallace Jr. is a 20-year employee of NS. He has worked in the craft of brakeman, conductor and locomotive engineer where he was a member of BLET Division 696. He is currently the Superintendent of Terminals in Macon, Ga.

Son Mark Wallace is a 16-year employee of NS. He has worked in the craft of carman, brakeman, conductor and locomotive engineer. He has been vice local chairman and local chairman of BLET Division 267 since 1996. He currently holds the position of second vice general chairman on the NS-Southern Lines GCofA.

Son Brandon Wallace resides in Fletcher, N.C., where he is a vice president in the banking industry.

Brother Wallace has been succeeded as General Chairman by Bill Overton.

Old friends may write to Brother Wallace at: 48 Sunset Dr., Asheville, N.C., 28806. ©©

Scholarship >> Directory

BLET AUXILIARY AND EASTERN UNION MEETING ASSOCIATION

THE BLET AUXILIARY offers \$1,000 scholarships annually to help the children of BLET and Auxiliary members realize their goals in life.

There are two very strict guidelines that must be met in order to be eligible. First, the applicant must be a son or daughter of both an Auxiliary and BLET member (living or deceased), with each being a member for two years. Second, the applicant must be enrolled or accepted for enrollment in an accredited university, college or school of higher learning.

The Auxiliary also administers a joint scholarship, The John Thomas Collins & Mary M. Collins Memorial Scholarship, for children of members participating in the Eastern Union Meeting Association (EUMA). This covers Divisions, Auxiliaries and Members-at-Large in the following states: Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Vermont, Washington D.C., and West Virginia. Applicants for the Auxiliary-EUMA scholarship must have a parent participating in the EUMA.

In order to continue to be eligible for the joint Auxiliary-IWC-EUMA scholarship beyond the first quarter and/or semester, the recipient must maintain satisfactory academic status. If the applicant is a graduate student or returning to school as a sophomore, junior or senior, he or she must have a 3.0 grade point average or better to be considered. The applicant must also be accepted to an accredited school. The deadline for these scholarships is April 1, 2008. Late applications will not be considered.

Auxiliary application forms are online at: <http://www.bletauxiliary.net>, or you can link from the BLET Website under "Departments."

In addition to the application, the Auxiliary website provides scholarship applicants with more detailed instructions on the application process.

Mail completed forms to: Anita J. Caruso, National Secretary, 3341 S. 112th Street, Omaha, NE 68144-4709. For details, email Sister Caruso at: Bunziegia@cox.net.

BLET AUXILIARY AND INTERNATIONAL WESTERN CONVENTION

BECAUSE OF THE tremendous support for its scholarship program at past conventions, and by vote of its delegates, the International Western Convention is offering more \$1,000 scholarships to BLET members in 2008 than ever before. Children of members from Divisions current with their IWC dues from the following areas are eligible: the states of Ariz., Calif., Colo., Idaho, Minn., Mont., Nev., N.M., Ore., Utah, Wash., Wisc., Wyo.; and from



the Provinces of Alberta, British Columbia, Manitoba, Saskatchewan, and portions of northern Ontario (such as Thunder Bay and Sioux Lookout).

The deadline for submitting applications is April 1, 2008. Late applications will not be considered. The BLET Auxiliary administers the IWC scholarship program, so please send completed applications to: Anita J. Caruso, National Secretary, 3341 S. 112th Street, Omaha, NE 68144-4709. For details, email Sister Caruso at: Bunziegia@cox.net.

Auxiliary application forms are online at: <http://www.bletauxiliary.net>, or you can link from the BLET Website under "Departments."

Eligibility questions should be directed to Jim Lance, IWC Secretary-Treasurer at kickem228@aol.com.

EMPLOYEES OF BNSF RAILWAY

THE BURLINGTON NORTHERN Santa Fe Foundation Scholarship Program began accepting requests for applications on Jan. 1, 2009, and applications must be post marked by April 1, 2009.

The program will award 35 scholarships, \$2,500 each, for the 2009-2010 academic school year. The program is available to current high school seniors who are the dependent sons, daughters or stepchildren of full-time BNSF employees or retired, disabled or deceased employees of BNSF or its predecessor companies. Full-time employees must have at least two years of service as of Jan. 1, 2008, and must still be employed by BNSF when winners are selected in April.

For details, visit www.bnsf.com or call BNSF at: (817) 352-1000.

BROTHERHOOD'S RELIEF AND COMPENSATION FUND

THE BROTHERHOOD'S RELIEF and Compensation Fund is pleased to

provide opportunities for the sons and daughters of BR&CF members to participate in the Luther G. Smith Scholarship Program.

Children, including adopted and stepchildren, of BR&CF members who are in "Good and Regular Standing" are eligible. Applicants must be 27 years of age or younger. Applicants may be current high school students who have applied for admission as full-time students in accredited post-secondary schools or may be attending or enrolled as full-time students in accredited post-secondary schools.

International President J.M. Robb advises that 20 scholarships of \$1,000 each are awarded every year.

BR&CF members with questions may contact Nita Saultz at (800) 233-7080. Members may obtain an application form by calling or writing to 2150 Linglestown Road, Harrisburg, PA 17110 or emailing brcf@brcf.org. The deadline for receipt of applications is March 2, 2009.

CALIFORNIA STATE LEGISLATIVE BOARD

THE BLET'S CALIFORNIA State Legislative Board offers a scholarship each year to a graduating senior who will attend college, trade or vocational school in the coming year.

The applicant's parent or guardian must be a BLET member in good standing and in a Division represented by the California State Legislative Board.

Last year, the Board offered two \$1,000 scholarships. Applications and deadline information are available on the Board's website.

All applications should be mailed to the CSLB home office address:

California State Legislative Board, BLET/IBT
610 Auburn Ravine Rd., Suite C
Auburn, CA 95603

BLET Division 269

BLET DIVISION 269 (Jamaica, Long

Island, N.Y.) offers two \$500 scholarships to the children of BLET members who are already enrolled in college. Participation is limited to members of Division 269 only.

Winners are picked at random at the division's Christmas party. **For details,** watch your Division 269 newsletter or contact Division President Scott Decker at (516) 932-7130.

BLET Division 57

TWO \$250 SCHOLARSHIPS are available to children of BLET Division 57 members (Boston, Mass.).

The scholarships are awarded to college-bound high school seniors, and will be awarded based on their score on a labor history exam, administered by the Massachusetts AFL-CIO, said Walter H. Nutter of Division 57.

By taking the exam, students also become eligible for eight more scholarships through the Massachusetts AFL-CIO. While the Division 57 scholarship is limited to children of that division's members, the general AFL-CIO scholarship competition is open to children of all BLET members living in Massachusetts. This year's test will be given on February 4. Members are advised to make preparations in fall 2009 if they wish to apply for the 2010 scholarship.

The scholarship forms and the labor history exam study guide are available on the Division 57 website. **For details,** email Brother Nutter, or visit the Massachusetts AFL-CIO website:

Email: whnutter@yahoo.com

BLET Division 11

BLET DIVISION 11 (New York, N.Y.) awards a one-time \$500 scholarship annually to a child of any active member of Division 11 who pays local dues each month. Children who win are not eligible again. Deadline is June 1 and the winner will be announced at the June Division meeting. **For details,** contact Division 11 Sec.-Treas. Lorna K. Stevens at 1970 Veterans Hwy., Apt. C18, Levittown, PA 19056-2523, or email her at: STble11@comcast.net.

EASTERN UNION MEETING ASSOCIATION (EUMA)

THE EASTERN UNION Meeting Association awards several scholarship each year, ranging in value from \$1,000 to \$2,000, including memorial scholarships honoring the memories and accomplishments of Brothers Robert F. Donoghue, Robert W. Godwin and Robert Pentland. The scholarships are awarded based on academic excellence and financial need. Only children of BLET members (living or deceased) belonging to divisions participating in the EUMA are eligible to apply. Division must be square on the books for the child to qualify. States represented in EUMA are Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New

Photo: iStock



York, Ohio, Pennsylvania, Vermont, Washington D.C., and West Virginia.

The 2009 EUMA deadline is June 15, 2009. Send completed applications to:

Jim Louis, EUMA Sec.-Treas.

257 Forbes Ave.

Tonawanda, NY 14150

Applications are available on the BLET website: <http://www.ble-t.org/pr/pdf/eumasch.pdf>

JAMES R. HOFFA MEMORIAL SCHOLARSHIP FUND

THE JAMES R. HOFFA Memorial Scholarship Fund awards scholarships annually to outstanding high school seniors, and 100 scholarships will be awarded during the upcoming 2009-2010 school year.

Applicants compete in one of the five geographic regions where the Teamster parent/grandparent's Local Union is located. The Teamsters will award 31 scholarships that total \$10,000 each (\$2,500 a year over four years) and an additional 69 awards that are one-time grants of \$1,000 each.

For the last few years, the children and grandchildren of BLET members have been eligible to apply for the James R. Hoffa Memorial Scholarship following the merger of the BLET with the International Brotherhood of Teamsters. In fact, several children of BLET members have won the \$10,000 scholarship.

This year's program is open to high school seniors graduating in 2008, who plan to attend a four-year college in the fall of 2008. The applicant should:

- Rank in the top 15 percent of their high school class; and
- Have, or expect to have, excellent SAT or ACT scores.

The applicant must be a son, daughter or grandchild of a Teamster member who has been in good standing during the 12 consecutive months preceding the application deadline of March 31, 2009. Furthermore, the Teamster member must not have been a full-time elected officer during the 12 months preceding the application deadline date of March 31, 2009.

Due to the highly competitive nature of the program and the large number of applicants, students should carefully consider these criteria before submitting an application.

Applications are available from all IBT and GCC Local Unions, the BLET National Division website and BMWED System Federations.

Applications must be received by the Scholarship Fund by March 31, 2009.

For more details, please contact:

James R. Hoffa

Memorial Scholarship Fund

IBT Headquarters

25 Louisiana Avenue, N.W.

Washington, DC 20001

(202) 624-8735

Teamsters online scholarship info: <http://www.teamster.org/scholarships.aspx>

MIDWEST RAIL CRAFT SCHOLAR- SHIP FUND (MWRCFSF)

THANKS TO THE generosity and hard work of many people, including its Board of Directors, the Midwest Rail Craft Scholarship Foundation (MWRCFSF) is able to help several children of railroaders each year with their

educational expenses. Scholarships from the MWRCFSF are available to children of railroads from all crafts and union affiliations

The Foundation, founded in 2004, is led by a diverse Board of Directors representing several different railroads and labor unions. The Foundation's mission "is to collectively use the generous resources of many to ensure the further education of those blessed with knowledge, but burdened with need. In addition, we strive to unite all railroads/railroad crafts throughout the Midwest in a valiant effort to give of their time and resources so the future of our children will be bright and productive."

In 2008, the MWRCFSF awarded scholarships in amounts ranging from \$500 and \$1,000 to 28 students connected to the various railroad crafts and locations throughout the Midwest.

"We felt that the support we had seen, especially in the Midwest, prompted us to ensure that the children of all railroad crafts and backgrounds be rewarded," said Greg Shy, President of MWRCFSF. "We have become incorporated in Minnesota, Iowa, Nebraska, Illinois, Missouri, Oklahoma, Texas and Arkansas. Our objective is to concentrate the scholarship applicants geographically in correspondence to the enormous support we have had from railroad workers in these states.

"We also have enlisted the aid of rail management and all labor from Midwest railroads to ensure that all crafts are represented. This is a great opportunity for those railroad families in need of financial support for the higher education of their children."

The vast majority of the monies acquired for these scholarships comes from annual golf tournaments, contributions and sponsorships. The Foundation sponsors an annual Kansas City Golf Tourney, which will be held this summer. In addition, a second tourney is normally held at another location later in the summer. Dates and locations of the 2008 fund raisers will be announced at a later date. Updates will be provided on the MWRCFSF website.

Please use the scholarship application on the MWRCFSF website. Fill it out electronically, print it, attach the proper signatures and mail it to the address provided. The deadline for receiving applications is normally in June.

To download a copy of the application, and for other information about the MWRCFSF, please visit: <http://www.mwrcsf.org>.

EMPLOYEES OF NORFOLK SOUTHERN

CHILDREN OF NORFOLK Southern employees who are juniors in high school should apply for one of the four-year NS scholarships to be awarded in 2011.

National Merit Scholarship Corporation, an independent, nonprofit organization, administers the scholarship program. For detailed descriptions of these scholarships, go to the NMSC website. Competition for these scholarships is open to children of active, retired or deceased employees of NS and its participating affiliates. Applicants must be in their junior year of high school and plan to enter college in 2011.

To compete for a scholarship, a student must take the Preliminary SAT/ National Merit Scholarship Qualifying Test in October of 2009.

Deadline to complete and submit the

2011 Norfolk Southern Scholarship Program Entry Form is early February of 2010. The application process utilizes a web-based brochure and entry form created by NMSC.

As the Norfolk Southern program runs on an earlier schedule than most scholarship programs, it is advised that current high school sophomores begin making preparations now to apply for 2011 NS scholarships.

Questions can be addressed to Norfolk Southern Corp., Scholarship Program Coordinator, Three Commercial Place, Norfolk, Va., 23510, or to the Human Resources Help Desk at (800) 267-3313, or send an e-mail to nseducation@nscorp.com.

The amount of each NS scholarship is determined individually and can range from \$1,000 to a maximum of \$4,000 a year for up to four years of college study, or until baccalaureate degree requirements are completed, whichever comes first. The amount is determined by NMSC.

OUR BROTHERS KEEPER FOUNDATION (OBKF)

THANKS TO THE generosity of hundreds of Locomotive Engineers and Trainmen, a new scholarship opportunity is available to family members of seriously injured railroad workers from the Our Brothers Keeper Foundation (OBKF).

OBKF is planning to award four \$1,000 scholarships in 2008 to family members of seriously injured railroad workers. One winner will be awarded a scholarship from each of the four geographic regions represented by the BLET regional meetings — Eastern Union Meeting Association, Southeastern Meeting Association, International Western Convention, and Southwestern Convention Meeting.

OBKF is a 501(c)(3) non profit organization that provides consultation, referral and financial assistance to aid employees of the railroad industry and their families in times of hardship arising from accidents and injuries that occur within the scope of the worker's railroad employment.

In 2006, the last year for which complete statistics are available, Class I railroads reported almost 300 Category I & II casualties. These are on-the-job deaths or injuries so serious that they frequently result in permanent disabilities to railroad workers. These workers and their families are often left without the resources needed to cover everyday living expenses, much less provide tuition for family members who need, or would like, to further their education. OBKF is hoping to assist these families realize the goal of achieving higher education.

In terms of basic eligibility requirements, applicants must:

- Be a spouse, daughter or son of a seriously injured railroad worker;
- Complete all sections of the application form and mail it to the designated address, no less than thirty (30) days prior to starting date for the BLET Regional Meeting territory in which the injured worker is employed; and
- Provide all supporting documents required by the application form, including proof of enrollment in an accredited college, technical, or trade school.

Additional information is provided on the application form, which is available on the BLET's web site.

The deadline for each scholarship is

30 days prior to the start of the BLET regional meetings:

- Southeastern Meeting Association (SMA) begins June 7, and the OBKF deadline is May 7;

- Eastern Union Meeting Association (EUMA) begins July 5, and the OBKF deadline is June 5;

- International Western Convention (IWC) begins August 9, and the OBKF deadline is July 9; and

- Southwestern Convention Meeting (SWCM) begins September 13, and the OBKF deadline is August 13.

Since the majority of the support for OBKF's outreach efforts currently comes from engineers and train service employees, family members of these crafts will be given preference. All scholarship applications will be carefully reviewed. Scholarship awards are to be based on need and fulfillment of applicant requirements.

A copy of the OBKF application form is available here: <http://www.ble-t.org/pr/pdf/OBKFScholarship2008.pdf>

SOUTHEASTERN MEETING ASSOCIATION (SMA)

THE SOUTHEASTERN MEETING Association (SMA) Scholarship Committee awards the Geiger-Brendle Scholarships each year to the children of active or retired BLET members whose divisions participate in the SMA.

Please check with your division secretary-treasurer to ensure that your division participates. In general, the SMA includes divisions located in states east of the Mississippi River, and south of the Ohio River and the Mason-Dixon Line. Also, Divisions must be current with their SMA dues in order for the applicant to be eligible.

The SMA scholarship application deadline varies from year to year, and winners are usually selected and announced at the SMA's annual business meeting held during the convention. **This year's SMA will be June 7-11.** Please see your division officers for an application or for more details.

SOUTHWESTERN CONVENTION MEETING (SWCM)

THE SOUTHWESTERN CONVENTION Meeting (SWCM) awards approximately two dozen scholarships annually based on academic achievement and financial need.

Applicants must be the child of an active, retired or deceased BLET member whose division belongs to the Southwestern Convention Meeting. Applicants must be accepted for admission to an accredited college, university or institution of higher learning. Only divisions belonging to the SWCM are eligible.

SWCM application forms can be filled out on your computer screen with the interactive PDF form available on the BLET website. Deadline is normally a month or more prior to the annual convention, and the 2009 convention begins on September 13. Divisions must have paid their annual SWCM convention dues for applicants from their Division to be eligible.

An interactive PDF application form is available on the BLET website at: <http://www.ble-t.org/pdf/swcmapp.pdf>

OBITUARIES

Former La. SLBC Cooksey Humphrey, 1923-2008

Former Louisiana State Legislative Board Chairman C.M. "Cooksey" Humphrey, a retired member of BLE Division 326 (Bossier City, La.), passed away on December 11.

Cooksey, 85, was member of the Brotherhood of Locomotive Engineers and Trainmen for the last 60 consecutive years, having joined the Brotherhood in 1948. He was a fixture at BLET regional meetings over the years, particularly the Southwestern Convention Meeting (SWCM). In the late 1990s, he was presented with a 50-year membership badge, and at the SWCM in Shreveport, La., in 2007.

"Cooksey's friendly demeanor and trademark cigar will be fondly remembered by all," BLET National President Ed Rodziewicz said. "He was a true Brother and friend who will be sadly missed.



I extend my deepest condolences to everyone in Cooksey's family."

He was born June 21, 1923. He started his railroad career in 1941 as a fireman for the Illinois Central Railroad in Bossier City. He went firing on July

From left: BLET National Secretary-Treasurer William Walpert presents Cooksey Humphrey with a 60-Year Membership Pin and a Brass Bell at the SWCM in 2007.

9, 1941, and earned promotion to engineer on Dec. 22, 1943. He served in the army during World War II as a member of the Railroad Operating Battalion from 1943-1946, and received a Good Conduct Medal and a European Ribbon with two stars.

Brother Humphrey became a member of BLE Division 326 on April 3, 1950, and served as its secretary-treasurer and local chairman prior to his election as Chairman of the Louisiana State Legislative Board. He held that position for 21 years, from 1964-1985.

Brother Humphrey made his last run on March 1, 1983 from Bossier City, La.

to Vicksburg, Miss.

In addition to his railroad work, Cooksey also played professional baseball in the Boston Braves system from 1946-1950.

Humphrey married his wife, Martha, on Jan. 30, 1947. He is survived by: his wife; four children; and several grandchildren and great-grandchildren.

Brother Humphrey passed his love of railroading on to two of his sons. One son, Buster, was a locomotive engineer for the Kansas City Southern and member of BLE Division 599 (Shreveport, La.). His other son, Bruce, was a fireman for the Illinois Central from 1962-1978.

Following retirement, Cooksey enjoyed passing the time by playing golf, attending several BLET conventions a year, and attending baseball games and LSU Tigers college football games. @@

Josh Mills, 14-YEAR-OLD HONORARY ENGINEER LOSES BATTLE WITH CANCER



Josh Mills and his father, Tony, at the CSX yard in Flint, Mich., on February 23, 2008.

Josh Mills, the young man granted a special wish by the BLET and CSX last year, succumbed to his battle with cancer on November 21. He passed away on his 14th birthday.

In November 2007, Josh's family discovered that he had terminal brain cancer. His uncle reached out to BLET because Josh was such a lover of trains. CSX and BLET, as well as UTU members, worked to give Josh and his family some special memories that would last a lifetime.

On February 23, 2008, Josh was made an "Honorary Locomotive Engineer" by the BLET and was given a behind the scenes tour of the CSX rail yard in Flint, Mich. He also enjoyed an authentic railroad lunch served in a vintage cook car, toured the inside of an actual locomotive, and even got to meet an official CSX railroad police dog, Max.

The tumor, called glioblastoma multiforme, was not a solid mass that could easily be removed. Josh's father Tony said it was the most aggressive type of brain tumor and compared it to paint being poured over the brain — a spreading mass that was difficult, if not impossible, to remove.

Large portions of the tumor were removed at least twice, but the cancer came back more aggressively each time.

Josh was doing well in early summer and attended a "Make A Wish" trip to Sacramento, Calif., in June. However, he began having complications in late summer and early fall, then his health declined rapidly in October and November.

Following the February visit to the CSX yard in Flint, Mich., Josh's dad Tony sent profuse thanks to both BLET and CSX.

"Josh had a day he will never forget," Tony said. "You guys are first class. Things like this go a long way toward keeping faith in human kindness. Thank you for giving Josh one of the best days of his life."

After reading about Josh in the Locomotive Engineers and Trainmen News, several BLET members from across the nation sent Josh care packages, cards and gifts.

Josh requested that he be cremated and his ashes placed in the firebox of a steam locomotive that runs on a tourist line in Standish, Mich., where his grandparents live. The owners of the rail line accommodated Josh's request, and his ashes were placed in a pine box made by his grandfather. It was placed in the firebox of the locomotive for a "Santa Train" excursion on December 21. @@

BROTHERHOOD OBITUARIES

As of November 30, 2008

- 22 — D. L. Schaffrina
- 121 — R. L. Wilson
- 141 — J. D. Brown
- 144 — J. M. Cone
- 298 — C. T. Crowley
- 302 — B. D. Ridge
- 325 — F. R. Byers
- 348 — S. E. Wyres
- 370 — F. T. Kotula
- 476 — G. E. Hebert
- 518 — G. A. Smith
- 602 — M. S. McLoughlin
- 602 — R. M. Weishaar Sr.
- 624 — R. H. Schroder
- 714 — C. W. Gwinn
- 714 — C. J. Osborne
- 777 — C. L. Piburn
- 782 — E. R. Hatfield
- 811 — W. Lanier
- 834 — B. Couch
- 851 — J. T. Pote Jr.

A gift that comes straight from the heart

He's not Santa Claus, but Brother K.C. Kyer, a BNSF locomotive engineer and Local Chairman of BLET Division 647 (Phoenix, Ariz.), has spent the last nine years helping to make wishes come true for hundreds of children.

Brother Kyer volunteers, organizes and operates a unique passenger train ride each year for seriously ill and/or needy children in the Phoenix area. The special train ride is a cooperative effort with the BNSF Railway and the Make A Wish Foundation.

But it was Brother Kyer who got the wheels rolling.

He organized the first train ride in 2000 when his five-year-old son, Scott, was diagnosed with his first of two brain tumors. He endured a second in 2005.

"We were taking him to see a doctor about migraine headaches and the doctor's office was next to Make A Wish offices," said Brother Kyer, who joined the Brotherhood on February 1, 1994. "One thing led to another and I approached BNSF management about the idea and they basically said I could run the train. I never imagined that going on 10 years later we would still be doing it."

Since that first year, more than 1,000 children who were sick or less fortunate were able to enjoy the train ride and see their special wish come true. In 2007, 347 children and their parents rode the train, and as many as 425 enjoyed the ride a few years ago.

The 2007 run was especially important to Brother Kyer and all the volunteers.



At Mobest Yard in Phoenix (from left) on November 2, 2007: Trainmaster Brian Hurt, Engineer Steve Coffey, BLET Local Chairman K.C. Kyer (wearing hat), Josep Thurman (in wheelchair) and Engineer Wendy Candler. Josep, 10, was taken on board a locomotive that day, and then rode on the special passenger train on November 3, 2007. He passed away on November 12, 2007.

"We had a 10 year old boy from Phoenix Children's Hospital who wanted to see the inside of a locomotive," Kyer said. "We had him down at Mobest Yard the day before the passenger train ran and we took him up on an engine. He was given gifts from the BLET, United Transportation Union, and BNSF."

"He rode the passenger train the next day (November 3, 2007), and he passed away on November 12. It was a sobering experience and a very real reminder of the reason we run this train each year."

Children who participate in the ride are typically nominated by: Make A Wish



Inside a BNSF locomotive on November 2, 2007: BLET Local Chairman K.C. Kyer and 10-year-old Josep Thurman.

Foundation; Phoenix Children's Hospital; Camp Rainbow; Center for Burns and Trauma; Arise Children's Foster Care; and Arizonans for Children.

"Arizonans for Children provides a magician and clown as well as face painters," Kyer said. "Arizona Operation Life-saver provides materials for the kids and talks to them about safety."

The train runs with a four-man volunteer crew each year.

"I use the same crew, changing out the brakeman each year to give other people a chance to work on it," Kyer said.

Other volunteers, including those from the Young Women's program at the LDS Church Rose Garden Ward, work as car attendants and serve drinks and snacks. Paramedics and a doctor are also on board.

The run is from Glendale, Ariz., to Matthie, which is five miles east of

Wickenburg. The train then turns around and runs back to Glendale. Total mileage is approximately 100 miles, and running time is about 3 hours and 15 minutes.

"The first year I used equipment from the Arizona Railway Museum in Chandler, Ariz.," Kyer said. "The second year BNSF asked if I would like some of the BNSF business cars, and the rest is history."

Those business cars make the train ride an even more personal journey for Brother Kyer.

"My dad was a Santa Fe locomotive engineer in Los Angeles and I vividly remember him running the Super Chief and San Diegan when I was growing up," Kyer said. "Some of the equipment BNSF lets me use was pulled on the Super Chief by my father, so it gives me a connection to him as well."

Brother Kyer credits BLET members in Los Angeles for providing him with the inspiration for organizing the ride. He said they've been operating a similar ride for needy children for almost 20 years.

BLET National President Ed Rodziewicz commended Brother Kyer for his efforts, and thanked him and all other BLET members who volunteer their time to such worthwhile causes.

"Over the years, Brother Kyer and his volunteers have given hundreds of families in need a gift — treasured memories to last a lifetime," President Rodziewicz said. "That is truly a special gift, and one that comes straight from the heart." @@

BLET helps Santa spread good cheer

Spreading good will and holiday cheer, Santa Claus made his annual visit to Appalachia the weekend of November 22. But he swapped his sleigh and reindeer for a ride on a CSX train.

With a little help from the Brotherhood of Locomotive Engineers and Trainmen and hundreds of volunteers, Santa delivered 18 tons of gifts, candy and food to those in need as part of the 66th annual CSX Santa Claus Special.

BLET Locomotive Engineer Allen Hughes, a member of Division 781 in Erwin, Tenn., was behind the throttle of the Santa Train as it wound its way along the 110-mile route through the rural mountain communities of eastern Kentucky, western Virginia and northeast Tennessee.

Brother Hughes piloted the Santa Train without a hitch and kept everyone safe and on schedule. It was his first time operating the Santa Train.

Hughes began railroading in 1996 and earned promotion to locomotive engineer in 1998. He holds a regular yard assignment in Kingsport, Tenn., but is intricately familiar with the Santa Train route from Pikeville, Ky., to Kingsport, Tenn. He held down a regular run on that territory for eight years prior to taking his current yard assignment.

The Santa Train is one of Appalachia's most anticipated holiday traditions, especially this year since the economy has



Allen Hughes, a member of BLET Division 781 (Erwin, Tenn.), said the highlight of operating the CSX Santa Claus Special this year was seeing his 7-year-old son, Allen Jr., as the train arrived in Kingsport, Tenn.

hit that portion of Appalachia so hard.

"The coal mines closed down and there's not much work there," Hughes said. "But it was rewarding to get to do something nice for the kids. There were great crowds this year and lots of kids. There were record turn outs at some of the stops."

Goods, gifts and merchandise came in from 39 states for the Santa Train effort. There were 18 tons of gifts, candy

and food provided, and more than 5,000 gift bags were distributed at 14 stops along the route.

The Santa Train is sponsored by the Chamber of Commerce in Kingsport, Tenn., CSX Transportation Inc., and Food City Grocers of Abingdon, Va.

Next to Santa, the biggest celebrity on the train was country singer Kathy Mattea. She said her new CD "Coal" describes the hardships that many miners face in



The CSX Santa Claus Special makes its 66th annual run in 2008.

the mountains. It was inspired by the 2006 mining disaster in Sago, W.Va., that killed 12 miners.

Many of the songs on the album reflect the experiences of Mattea's own family. Both of her grandfathers were coal miners and her parents grew up in coal camps.

Mattea, 49, is a two-time Grammy winner who has four No. 1 country hits to her credit, including "Eighteen Wheels and a Dozen Roses."

For Brother Hughes, the Santa Train experience was about giving back and helping those in need. But his most rewarding memory came at the end of the run. Brother Hughes' wife, Lee, brought their seven year old son, Allen Jr., to Kingsport to see his dad pull the Santa Train into town.

"He was so excited," Hughes said. "He liked it a lot." @@



>> FEDERAL EMPLOYERS' LIABILITY ACT (FELA)

The railroad spouse's guide to on-the-job injury

Whether you are married to an "old head" or a newly-hired railroader, you have probably been told little or nothing about what happens after a railroad employee sustains an injury at work. This article will give you a basic overview of how railroads deal with injured employees, what law governs the injury compensation process, and what to expect and be prepared to do if your spouse is injured in the course and scope of his or her employment with the railroad.

None of this information is specific to any given railroad because the same laws apply to any "common carrier by rail engaged in interstate commerce," and Class 1 railroads all the way down to the smallest short-line railroads typically treat injured employees the same way. The common theme is that when an employee is injured he or she becomes a *liability* and represents a potentially large payout by the railroad. Because of this, all railroads have highly trained "claims agents." Claims agents or "casualty management personnel" are the railroad's version of insurance adjusters — the people who never want to pay enough for damage to your car after a wreck. Despite the claims agent's assertions that "they are there to help you," the claims agent's sole function is to minimize the amount of money the carrier (railroad) may have to pay an injured employee.

Unfortunately, the first inkling a spouse may have that an injury has occurred may be a midnight call from the emergency room of a hospital, often located many miles from home. If there has been a death,

a claims agent or a company official will knock on the door to personally notify the family. When an employee is hurt on the job, the railroad will see that injured employee gets to a hospital, often accompanied by a company official. The company official will attempt to steer the injured person to a "company doctor." You should be aware that you have the absolute right to choose your own doctors, providers and treatment facilities. The railroad has no right to:

- have a representative present when treatment is given;
- speak to doctors or medical personnel providing treatment;
- suggest what medications are prescribed or not to be prescribed (i.e., a narcotic that would preclude the employee from returning to work);
- certainly no right to obtain medical records without the express consent of the injured party.

If your spouse is in a hospital, you need to get there as quickly as possible and demand that company officials leave the care decisions to you, your spouse, and your spouse's physicians. Do not let anyone get statements or accident reports from your spouse at the hospital! Accident reports can wait, and should never, ever be completed and signed by your spouse while under pain and duress or while on medication. Call your spouse's local chairman and take a union representative with you if possible. Call an attorney who specializes in FELA (Federal Employer's Liability Act) claims, whose job it will be to help you and your spouse and to prevent the railroad from taking unfair advantage of their injured employee. In the event

a catastrophic accident has occurred, **never** speak with the carrier without legal representation present!

The next thing to know is that railroads *do not subscribe to Workers Compensation!* Instead, railroads and their employees are governed by the **Federal Employers' Liability Act**, or "FELA." This law, passed by Congress in 1908 and subsequently amended, is the **only remedy available** to railroad workers who are injured or killed in the line of duty. Further, because FELA is a "fault-based" system the injured worker must show that the railroad was negligent (even the slightest negligence) in order to recover money damages.

In other words, the railroad is not required to pay and typically will not pay an employee who is unable to work because of an injury. Does that mean you and your spouse will be left to starve until he or she is able to return to work? Yes and no. The first thing an injured employee needs to do is apply for *sickness and accident benefits* through the Railroad Retirement Board (RRB). These benefits amount to about \$53 per day for up to nine (9) months, and then can be extended if the employee is still unable to work. Not enough money to make the house and car payments you say? You can buy a private short-term disability policy from the "duck people" (Geico or similar).

If the injury is serious, you will be well advised to hire a FELA attorney, not some divorce or car-wreck lawyer. Because FELA practice is very specialized it is essential that, if your spouse has been injured, you hire a *bona fide* Federal Employer's Liability Act (FELA) attorney to represent you.

To help you choose an attorney, the BLET has what are called "Designated Legal Counsel" or DLC. In order an attorney to be appointed DLC — of which there are few in the country — the attorney must have a proven track record in FELA cases; he or she must be recognized as authoritative in railroad law; and he or she must be chosen by the unions as an excellent lawyer in representing union members in legal matters.

If there is an on-the-job injury, don't wait to hire your attorney! If an attorney is hired early on, they can prevent you or your spouse from inadvertently damaging the case and the case's possible outcome.

To help you in the event of an injury I am providing the following "checklist" of essential data that you should keep easily accessible in the event of an accident, as well as some generally useful legal suggestions for any household.

CHECKLIST:

DO YOU BOTH HAVE AT LEAST A SIMPLE WILL? _____

DO YOU HAVE A DURABLE POWER OF ATTORNEY? _____

DO YOU HAVE A HEALTHCARE POWER OF ATTORNEY? _____

DO YOU HAVE A DISABILITY INSURANCE POLICY? IT IS KEPT _____

MY LIFE INSURANCE POLICIES ARE KEPT _____

DO YOU CARRY UM/UIM AND PIP (UNINSURED/UNDERINSURED MOTORIST AND PERSONAL INJURY PROTECTION) ON YOUR AUTO POLICY? IF NOT, GET IT. YOU WILL BE RIDING IN COMPANY "LIMOS," AND IF THERE'S A WRECK YOU MIGHT WELL NEED THE ADDITIONAL COVERAGE. _____

THE NAME AND PHONE NUMBER OF MY: LOCAL CHAIRMAN _____

PRESIDENT _____

VICE LOCAL CHAIRMAN _____

GENERAL CHAIRMAN _____

Submitted by:
Bryan P. Cartall
The Cartall Law Firm
800-880-7245

The Education & Training Department

concluded its 2008 series of workshops with a class for Secretary-Treasurers in Cleveland, Ohio, from December 14-17. National Secretary-Treasurer Bill Walpert heads the Education & Training Department. Course attendees and instructors are as follows:

Front row (L-R): Tom Wolff, ST Div. 333; Tracy Jensen, ST Div. 200; Ken Kroeger Coordinator of Education & Training & Special Representative; William Walpert NST & Director of Education & Training; Jeffrey Grayson, Div. 565; Bob Broka Records Department Director; and Walt Schmidt, Webmaster. **Second row (L-R):** Mark Manthey, ST Div. 369; Brent Lee, ST Div. 163; Gary Myers, ST Div. 301; William Brooks, ST Div. 426; Rusty Grose, ST Div. 537. **Third row (L-R):** Stephen Whitman, ST Arizona SLB; Chet Dworakowski, ST Div. 234; James Cleary, Alternate ST Div. 3; David Satterfield, ST Div. 284; Jessie Ingram, ST Div. 508. **Fourth row (L-R):** Julie Trickler, Alternate ST Div. 416, Joe Prezio, ST Div. 306; Steven Ostrander, ST Div. 178; Randall Jordan, ST Div. 327; Brian Oatman, ST Div. 273; Paul Pearson, ST Colorado SLB; Richard Green, ST Div. 214; James Daddino, ST New York SLB; and Daniel Kenner, Alternate ST Montana SLB. **Fifth row (L-R):** Samuel De Coursey, ST Div. 274; Paul Rodenbucher, Div. 273; James Bryant, ST Div. 846; Charles Weick, ST North Dakota SLB; and Dr. Elaine Reese, Office of Tax Compliance Director.



A message from
Teamsters General President
James P. Hoffa



Rail Conference fights for safe workplace rules

Recently the Teamsters Rail Conference went on record pledging to fight a new Labor Department rule proposed by the Bush administration that would make it much harder for the government to regulate toxic substances and hazardous chemicals that rail workers are exposed to on the job.

We believe that all workers deserve a safe workplace. And, it isn't surprising that the Bush administration would try to push through this new rule as a gift to big business before leaving office. We will work with the new Congress and the Obama administration to overturn this rule, should it be issued.

It is well known that the rapid increase in freight rail traffic has also meant that more and more rail workers are exposed to toxic materials. Shipments of toxic ammonia and other chemicals used for cleaning tap water and other essential purposes continue apace. In addition, the nuclear power industry is ratcheting up plans that will lead to a huge increase in the amount of nuclear waste that is transported on rail lines.

So, the need for solid workplace safety rules is imperative. The railroad industry, unfortunately, seems pretty confident that the safety training they have in place is adequate. Consisting of a 10-minute video and a printed, two-page pamphlet, the industry's so-called safety training is woefully inadequate.

Our members need the best and most thorough safety training and protections available. For example, we are co-sponsors of the Hazardous Materials Training Program at the National Labor College. It's the only comprehensive safety training program for railroad employees in the country – hundreds of rail employees participate in it each year.

The Teamsters Union, the world's most powerful union, will keep fighting for comprehensive safety training for all railroad employees and strong laws that will help ensure safe workplaces.

Faternally,

James P. Hoffa
TEAMSTERS GENERAL PRESIDENT

PHOTO OF THE MONTH



The 2008 Canadian National-Illinois Central Santa Claus Train heads north bound on the Holly subdivision going around the wye at Durand, Mich., headed toward Battle Creek on Sunday, December 21. Photo taken by Fred Abar, a member of BLET Division 850 in Flat Rock, Mich.

Advisory Board November Activity

In accordance with the BLET Bylaws, summaries of BLET Advisory Board members' activities are published monthly:

National President Edward W. Rodziewicz— National Division office: General supervision of BLET activities; General office duties; Various correspondence & phone calls; President, Teamsters Rail Conference; Division 421 retirement party, Buffalo, N.Y.; Conrail District "E" Chairman Fran Byers funeral, Pittsburgh, Pa.; Occupational disability meeting with Rail Chiefs, Washington, D.C.

First Vice-President and Alternate President Paul T. Sorrow— Performed various duties in Office Administrator capacity; Various duties assigned to First Vice President; Various correspondence and telephone communications; General supervision of Special Representatives; Thanksgiving; National Handling Working Group, National Division Office, Cleveland, Ohio.

National Secretary-Treasurer William C. Walpert— General supervision of BLET financial, record depts.; ND office; BLET Education & Training Dept. Internal Organizing, Mobilizing & Strategic Planning Dept. Safety Task Force; Meetings with vendors and financial institutions; Standard Building operations oversight; Local Chairman's Workshop, National Labor College, Silver Spring, Md.; Annual Division 269 retirement dinner, Ronkonkoma, N.Y.

Vice-President Richard K. Radek— ND Office; BLET Decertification Helpline services; Director of Arbitration Dept; National Railroad Adjustment Board (NRAB); Illinois Central; Wisconsin Central; Indiana Harbor Belt; METRA; Belt Rwy. of Chicago; Chicago Central & Pacific; Duluth, Missabe & Iron Range; Routine office duties, Chicago and Cleveland; Local Chairman training, National Labor College, Silver Spring, Md.; NRAB award adoption mtg., BNSF; Mtg. w/ BLET Special Counsel Mike Wolley, re: FRSA; FRSA mtg.; PLB 7257 prep and arbitration, BRC; Various NRAB arbitration; PLB 7166 executive session, conference call; CN/IC LM mtg.; Agreement mediation mtg., CN/IC-WC-EJ&E, "J" acquisition mtg., Chicago; Prepare for WC agreement ratification; FEMLA final rule (changes) mtg., Chicago; FRA Part 240.409 dockets this month: EQAL 06-17 (KCS), 05-59 (CSX), 05-54 (CSX), 07-32 (UP), 07-11 (Amtrak), 06-13 (Indl).

Vice-President Merle W. Geiger Jr.— Assigned to: BLET Trainmen's Department; Kansas City Southern; Texas-Mexican Rwy.; Midsouth Rail; Southrail; Gateway Western; CP Rail System/U.S.; Portland & Western RR; Great Western RR; Utah Railway; Mtgs. w/ GC Parker (KCS) and Clark (Tex-Mex), UTU and KCS, Kansas City, Mo.; Holidays; Research, correspondence and general office duties.

Vice-President Stephen D. Speagle— Assigned to Burlington Northern Santa Fe, Montana Rail Link, Pacific Harbor Line, Missouri & Northern Arkansas (M&NA), National Wage/Rule Committee; General office duties; PLB 7166 executive session, BNSF, Decatur; Montana Rail Link retiree's health insurance trustee mtg., Missoula, Mont.; PLB 7166 conference call; Finance mtg. for Wabash Hospital Association; Holiday; Conference call with BNSF GCs.

Vice-President E.L. "Lee" Pruitt — Assisted general chairmen & members of: UP-Western Lines; UP-Western Region; UP-Central Region; UP-Southern Region; UP-Tacoma Belt; Office duties, paper work, filing and calls; ID run negotiations, Las Vegas to West Colton, GCs Hannah and Dayton, Las Vegas (UPWL-WR GCofAs); San Antonio intermodal, new San Antonio yard negotiations, UPSR GCA; Mtgs. to assist GC Young, UP-ED, Denver, Colo.; UPRR Vital Train Management System (VTMS) mtgs., Denver; Assisting General Chairmen & members, UPRR & Tacoma Belt & STD; Thanksgiving.

Vice-President & National Legislative Representative John P. Tolman — Assigned to BLET Washington, DC office; BLET Security Officer; General Office Duties, telephone, correspondence; Coordinate content of NLO website; Continued coordination w/ IBT Government Affairs Dept.; Coordinated PAC contributions; Continued "get out the vote" (GOTV) efforts for Teamsters for Obama campaign; Work with members of Obama campaign in Ohio until election; State Legislative Board Chairmen conference call; Mtg. w/ Rep. Tim Bishop (1st-NY); High speed rail mtg.; Teamsters inaugural planning mtg; NASLBC conference call; Attended various fundraisers.

Vice-President Marcus J. Ruef — Assigned to Amtrak; Port Authority Trans Hudson (PATH); Long Island Railroad (LIRR); Southeastern Pennsylvania Transportation Authority (SEPTA); New Jersey Transit (NJT); MNR; Norfolk Southern-All General Committees; Wheeling & Lake Erie; and NYAL; Writing cases and preparation for PLB 7159, NS-E; Draft letters to members, re: Speeding cases, NS-E; Assist with LC workshop, National Labor College, Silver Spring, Md.; Annual Division 269 dinner/dance, LIRR, Ronkonkoma, NY; Mtg. w/ Rich Darcy & Ken Kroeger to discuss training, NJT; Visit Div. 53, NJT; NJT Rail Labor Council mtg. w/ GC Darcy, Newark; Prepare dissents for PLB 7176 (NYAL) & PLB 7046 (LIRR); FRSA Guidance Committee mtg. w/ Mike Wolley & Jim Farina, Chicago; Assist GC Davis for investigation, mtg. w/ charged employee, NS-N, Peru, Ind.; Assist GC Darcy with SBA 940, NJT; Research on recovery of overpayments, NS-S; PLB 7086 study, NS-S; Assist GC Knight with "speeding" letter, NS-E; Thanksgiving.

Vice-President Dennis R. Pierce — Assigned to all CSX General Committees — Eastern Lines, Western Lines, Northern Lines, Conrail (SAA/CSX-Northern District) — and Indiana Rail Road, Alabama State Docks; Special projects, BNSF GCofAs; General office duties; Mtgs. w/ CSX-N, CSX-W, CSX-E GCofAs, CSX SSA dispute resolution committee, Jacksonville, Fla.; National Wage Team preparation subgroup mtg., Cleveland; Public Law Board 6468, CSX-W, Baltimore.

Vice-President Mike Twombly — Assigned to Delaware & Hudson; Springfield Terminal; St. Lawrence & Atlantic; Montreal, Maine & Atlantic; Union Railroad; Birmingham Southern; New York, Susquehanna & Western; New England Central; South Buffalo Rwy.; Iowa, Chicago & Eastern; Indiana & Ohio; Indiana Southern; Louisville & Indiana; Meridian Southern; Talleyrand Terminal Railroad; Springfield Terminal, Div. 191 mtg., Ayer, Mass.; Indiana Southern contract negotiations, Indianapolis, Ind.; Talleyrand Terminal negotiations, Jacksonville, Fla.; Division 356 mtg., Houlton, Maine; Springfield Terminal claims conference, Billerica, Mass.; Office work and administration.



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