

ENGINEERS & TRAINMEN NEWS



Published by the BLET, a division of the Rail Conference, International Brotherhood of Teamsters

Home run for rail workers

OSHA signs whistleblower accord with BNSF

he U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced on January 15 that the agency has signed an accord with BNSF Railway Co. (BNSF), under which the railroad has agreed to voluntarily revise several personnel policies that OSHA alleged violated the whistleblower protection provisions of the Federal Railroad Safety Act (FRSA) and discouraged workers from reporting on-the-job injuries.

"Protecting America's railroad workers who report on-the-job injuries from retaliation is an essential element in OSHA's mission. This accord makes significant progress toward ensuring that BNSF employees who report injuries do not suffer any adverse consequences for doing so," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels in speaking for the agency. "It also sets the tone for other railroad employers throughout the U.S. to take steps to ensure that their workers are not harassed, intimidated or terminated, in whole or part, for reporting workplace injuries."

The major terms of the accord in-

- Changing BNSF's Policy for Employee Performance Accountability ("PEPA") so that injuries no longer play a role in determining the length of an employee's probation period following a record suspension for a serious rule violation; this has led to reductions in probation periods for at least 136 employees who had been injured on-the-job.
- Eliminating the railroad's Personal Performance Index ("PPI"), which was used to assigned points to employees who sustained on-the-job injuries.
- Revising the Carrier's Employee Review Process ("ERP") so that work-related injuries no longer will be the basis for enrolling employees in the program, leading to the removal of 400 workers from the ERP.
- Instituting a higher level review by the railroad's upper management and legal department for cases in which an employee reports an on-duty personal inju-

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BLET TO MARK 150 YEARS IN MAY

▼ he Brotherhood of Locomotive Engineers and Trainmen, the oldest labor union in the United States (indeed, the Western Hemisphere) will mark its 150th anniversary on May 8, 2013.

The organization was originally founded as the Brotherhood of the Footboard on May 8, 1863. In 1864, the union changed its name to Brotherhood of Locomotive Engineers (BLE), the name it retained for 140 years until merging with the International Brotherhood of Teamsters on Jan. 1, 2004, when it became BLET.

"This is a proud and historic moment for our great Brotherhood," BLET National President Dennis R. Pierce said. "This year, we are proud to honor the legacy of our Founding Fathers and the many accomplishments our Organization has achieved over the past 150 years to improve the rights and working conditions of

The organization was formed when locomotive engineers on the Michigan Central Railroad became discouraged with working conditions, pay cuts and the dismissal of their firemen.

For the past 150 years, the Brotherhood has been at the forefront of many important gains for all railroaders. In 1875, the BLE was the first labor organization to obtain a contract with a railroad. The BLE also played leading roles in establishment of the Railway Labor Act in 1926, the Railroad Retirement and Unemployment Insurance Acts in 1937, and countless safety measures over the decades.

President Pierce is the 23rd chief in the BLET's long history. He has held the post since July 1, 2010, succeeding Paul T. Sorrow, who retired. The BLET represents more than 55,000 active and retired locomotive engineers and trainmen throughout the United States. @@



Eastbound Norfolk Southern SD40E No. 6321 idles while waiting for a signal as a westbound intermodal train passes on the adjacent main track on NS's Pittsburgh Line near Cresson, Pa., on December 27, 2012. Photo courtesy: Chase Gunnoe

SEPTA rail workers get big victory

December 19, the Pennsylvania Sumunity from lawsuits conferred by the Eleventh Amendment to the U.S. Constitution upon the 50 States does not extend to suits filed by injured railroad workers under the Federal Employers' Liability Act (FELA) against the commuter railroad operated by the Southeastern Pennsylvania Transportation Authority (SEPTA).

At issue before the Court were the FELA claims of three SEPTA conductors and a SEPTA welder/electrician, which had been dismissed by a lower court in a split-decision ruling that held SEPTA had

n a unanimous decision issued on | been structured by the Commonwealth | the present. preme Court has ruled that the im- | monwealth's Eleventh Amendment sov- | two-part test in determining whether ereign immunity.

In a lengthy and very detailed opinion the Court began by noting that the question of whether SEPTA was entitled to sovereign immunity was not to be decided by reference to the Pennsylvania Sovereign Immunity Act, but rather by reference to federal law. The Court then exhaustively detailed the history of the U.S. Supreme Court's Eleventh Amendment sovereign immunity case law, starting with the language of the Eleventh Amendment itself and discussing U.S. Supreme Court decisions from 1821 to

SEPTA is an "arm of the state" for sovereign immunity purposes. Regarding the "six factors of immunity" that comprise the first prong of the test, the Court found that the Commonwealth exercised little control over the SEPTA Board because it had only limited power of appointment and no power to veto its actions, because the SEPTA Board has the power to independently raise revenue on its own, and because no monetary obligation incurred by SEPTA is binding on the Commonwealth. However, the Court

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Chairman of Louisiana State Legislative Board pg. 7



BLET PRESIDENT'S MESSAGE BY DENNIS R. PIERCE

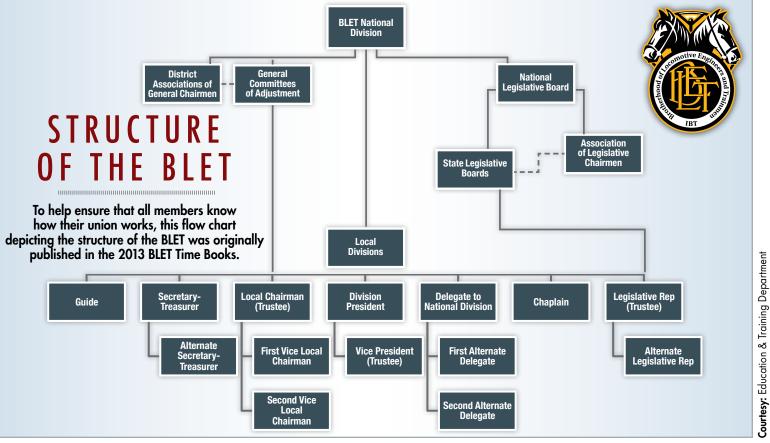
FOCUSING ON OUR COMMON GOALS IN 2013

s with any New Year, the first few weeks of January give us a chance to assess the year gone by and to re-establish our priorities for the year ahead. As part of that process, we must honestly assess our successes and failures in order to learn from them as we move forward.

As we all know, 2012 was a very political year, culminating in November's elections. While I am well aware that not all BLET members agreed with all of the political endorsements and recommendations put forward by the BLET National Division and State Legislative Boards, you can rest assured that those recommendations were all based upon our collective assessment of what was best for the financial betterment of BLET members and all working class Americans.

I will always believe that it is the American working class which we are all part of — that made America the great nation that it is. America only truly succeeds when the working class citizens of America succeed. Helen Keller is quoted as saying, "This world is moved along, not only by the mighty shoves of its heroes, but also by the aggregate of tiny pushes of each honest worker." It is imperative that we work to elect politicians who understand and respect the "tiny pushes" of working class Americans, because our combined efforts are essential to a strong America.

Although working class Americans and their labor unions saw certain successes in the fall elections, we also suffered losses. Many anti-worker politicians were elected at the national and state levels, and we have every reason to believe that they will again push anti-worker agendas at both levels of government. We are already seeing a push for "right to work" legislation in Kansas and Missouri. We must re-energize our efforts to block these anti-worker efforts, because I firmly believe that an injury to one working class American is an injury to all working class Americans.



We must also reassess our internal successes and failures as we move into 2013. Over the past several years, more and more BLET members have become involved in their union and their futures. However, I am not satisfied that we have done enough to increase participation. One of the key components of an involved membership is a well-informed membership and we are constantly exploring new ways to get information to the membership.

One example of what I consider a shortcoming in this regard is the fact that so many of our members apparently were unaware that they had to have paid union dues for 24 consecutive months to be eligible to run for office in last fall's Local Division elections. I travelled the country from corner to corner last year asking members to get involved, only to have to tell many of those who heeded my call that they could not run for office due to their ineligibility. I can think of nothing that has saddened me more in my time as President than to have to advise so many dedicated members that they were not eligible to hold office in our Brotherhood. Our task now is to learn from that experience and re-enforce our efforts to make sure that all members understand our union's rules. To accomplish that, I am working now on a preemptive mailing to all Local Divisions as well as News Flashes and articles in the BLET's publications that will help them prepare for triennial elections in 2015.

We must also ensure that all members know how their union works. To that end, BLET's Education and Training Department prepared an educational section in this year's BLET Timebook. The information was included to ensure that all members know who does what within their union. The National Division and each subordinate unit of the union play its own distinct role, and all levels of the union are stronger when the membership understands the responsibilities of each level. It will also help the membership to understand what should be expected from any given level of the union.

I have also challenged our Education and Training Department to develop new ways to provide education and training to the officers and members of our great union. Although our classroom training is perhaps the best in the industry, I would like to develop new methods of outreach and training that will enable us to educate even more members. To improve on our current program, I have asked the Department to develop online training modules that officers and members can access to help them better understand what the union does, and what they can do to make our union stronger. An educated membership is a strong membership and I am committed to improving on the solid program that our **Education and Training Depart**ment has established.

As for my personal efforts, I will continue to travel across the country in 2013 to meet with members and officers of the union when and where I can. Whether it be a Local Division meeting, a General Committee of Adjustment meeting, a State Legislative Board meeting, a regional meeting, or any other gathering of members, my goal is to meet with as many members as possible

while I am President. I can honestly share that my experiences meeting with members last year were some of the most rewarding that I have had. Although it might seem like business-as-usual to group our membership only by their Divisions or by their employer, the personal one-on-one time with members that I enjoyed last year reminded me that we are all individuals with differing personal circumstances and opinions. There are certain issues that we will never all agree on, but there are also issues and concerns that we all have in common. We are all confronted with balancing the needs of our families with a demanding job, and we all deserve to be treated with respect in the workplace. My hope and goal for 2013 is that we concentrate on what we have in common and get beyond personal differences that may divide us in our quest to be part of a strong union, and a strong American middle class. Join me in that effort.

Fraternally,

DENNIS R. PIERCEBLET NATIONAL PRESIDENT

BLET National Division Electronic Communications Policy

fficial communications between BLET members and the National Division require a hard copy of the correspondence, bearing a signature, being received by the National President to be considered an "official communication." This is to provide that the actual question(s) are addressed, and ensures that when official

interpretations are made they have reference to a specific request and can be used in future correspondence.

The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to

the appropriate officer or staff for a timely response; however, an e-mail message is not considered an official communication.

Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender's membership status will not receive any reply or acknowledgement. This policy is intended to allow the National President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member's unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

Adopted at Cleveland, Ohio on July 22, 2010. ©



GENERAL PRESIDENT'S MESSAGE BY JAMES P. HOFFA

RESTORING MAJORITY RULE IN THE SENATE

he Employee Free Choice Act would be the law of the land today if it weren't for the modern filibuster.

The Employee Free Choice Act, or EFCA, would have made it easier to organize a union. In 2008, it easily passed the House of Representatives. A solid majority of U.S. senators supported the bill. But they never got a chance to vote on it, and EFCA died.

The tragedy of EFCA was how easy it was for anti-worker senators to prevent a vote on the legislation. All they had to do was threaten to block it, forcing the Senate Leader to come up with 60 votes rather than a simple majority. No one had to stand on the Senate floor and talk around the clock the way Jimmy Stewart did in "Mr. Smith Goes to Washington."

No one had to miss even one fundraiser.

The modern filibuster makes it far too easy for a tyrannical minority to strangle the democratic process. It's time to reform it and restore majority rule.

Our brothers and sisters at the Communications Workers of America are leading the fight for filibuster reform. The Teamsters stand with them.

I believe those wishing to filibuster a bill must actually hold the floor – and they must be required to actually debate. Most Americans agree. A recent poll conducted by The Huffington Post and YouGov found that 65 percent of Americans believe senators should have to debate for the duration of a filibuster.

That's why the Teamsters Union is supporting the proposal by Sens. Jeff Merkley of | President

Oregon and Tom Udall of New Mexico.

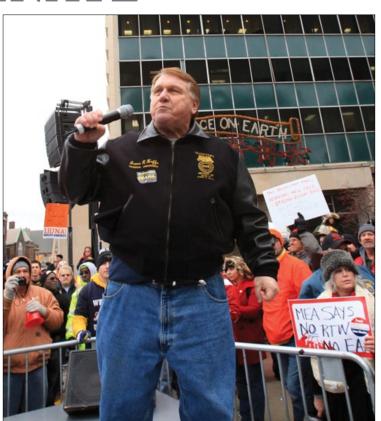
Their proposal would still allow the filibuster to be used but only sparingly. They would place the burden of breaking the filibuster on the minority. Today, it takes 60 votes to break a filibuster. Merkley and Udall would turn that around. Senators who want to filibuster a bill would have to produce 41 votes to sustain it.

By making this modest change, the U.S. Senate could go a long way to restoring its reputation as the place that works for the American people.

Fraternally,

James PHoffa)

TEAMSTERS GENERAL



I believe those wishing to filibuster a bill must actually hold the floor – and they must be required to actually debate. Most Americans agree.

Railroad Retirement and Unemployment Insurance taxes in 2013

he amounts of compensation subject to railroad retirement tier I and tier II payroll taxes will increase in 2013. The tier I tax rates will remain the same on railroad employers, while railroad employees will see their effective tier I rate increase from 5.65 percent to 7.65 percent. The tier II tax rate on both employers and employees will increase by 0.5 percent. Also, railroad unemployment insurance tax rates paid by employers will not include a surcharge in 2013.

TIER I AND MEDICARE TAX

The railroad retirement tier I payroll tax rate on covered rail employers for the year 2013 remains at 7.65 percent. However, railroad employees will see their effective tier I rate increase from 5.65 percent to 7.65 percent. Legislation enacted in 2011 and 2012 provided for a temporary reduction of 2 percentage points in the social security payroll tax paid by employees, but that reduction expired at the end of 2012. 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 increases from \$110,100 to \$113,700 in 2013, but there is no maximum on earnings subject to the 1.45 percent Medicare rate.

The Medicare payroll tax on high-income earners will also be increasing. Starting in 2013, an additional tax of 0.9 percent will be due on an individual's income exceeding \$200,000, or \$250,000 for a married couple filing a joint tax return. While employers will begin withholding the additional Medicare tax as soon as an individual's wages exceed the \$200,000 threshold, the final amount owed or refunded will be calculated as part of the individual's Federal income tax return.

TIER II TAX

The railroad retirement tier II tax rate on employees will increase to 4.4 percent in 2013, up from 3.9 percent, and the employers' rate will increase to 12.6 percent from 12.1 percent. The maximum amount of earnings subject to railroad retirement tier II taxes will increase from \$81,900 to \$84,300 in 2013. Since 2004, tier II tax rates are based on an average account benefits ratio reflecting railroad retirement fund levels. Depending on this ratio, the tier II tax rate for employees can be between 0 percent and 4.9 percent, while the tier II rate for employers can range between 8.2 percent and 22.1 percent.

UNEMPLOYMENT INSURANCE TAX

Employers, but not employees, pay railroad unemployment insurance taxes, which are experience-rated by employer. 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 a surcharge of 1.5 percent applied in 2012. The accrual balance of the Railroad Unemployment Insurance Account was more than \$184.9 million on June 30, 2012. Since the balance exceeded the indexed threshold of \$137.3 million, no surcharge applies to the basic tax rates for 2013. A surcharge of 2.5 percent applied in 2011, with a surcharge of 1.5 percent in the years 2004-2010.

As a result, the unemployment insurance tax rates on railroad employers in 2013 will range from the minimum basic rate of 0.65 percent to the maximum of 12 percent on monthly compensation up to \$1,405, an increase from \$1,365 in 2012.

In 2013, the minimum rate of 0.65 percent will apply to 74 percent of covered employers, with 10 percent paying the maximum rate of 12 percent.

During the year, new employers will pay an initial tax rate of 3.69 percent, which represents the average rate paid by all employers in the period 2009-2011. ©

BUY MADE IN THE U.S.A. **GREETING CARDS**

Proud to be American, proud to buy union

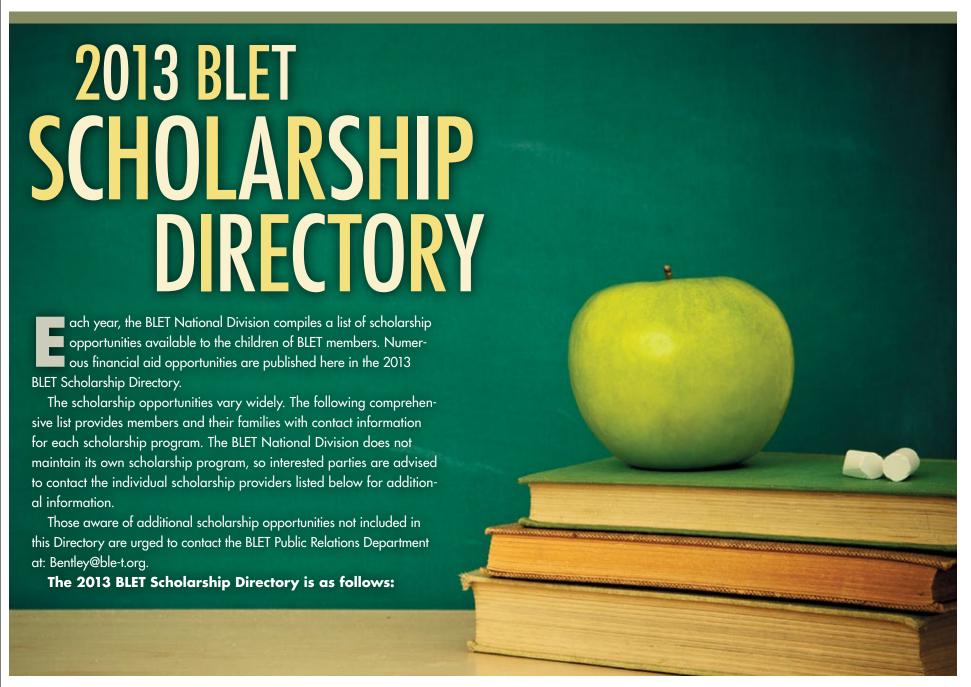
onscientious consumers need to be cautious when purchas-✓ ing greeting cards. Many are not made in America.

George Tedeschi, President of the **Graphic Communications Confer**ence of the Teamsters, recommends that you look at the back of each card and examine exactly where it was made. It should clearly say, "Made

If you have a need for a large order of custom-made cards, the best source for these is your local GCC-Teamster printer. You can find printers in your state that print items under a Teamster-contract by going to the Graphic Communicators website and selecting your state (http:// www.gciu.org/ext/shop_search.asp). A list will be provided of printing companies whose employees are covered under a Teamster contract.

Many Hallmark and American Greetings brand cards are made in America, but you still need to read the back of the card to find out where it says "Made in U.S.A." before you buy it.

For holidays such as Valentine's Day, Mother's Day, Easter and Christmas, please be give the best card you can find — one made in America. ©®



THE 2013 BLET SCHOLARSHIP DIRECTORY IS AS FOLLOWS:

James R. Hoffa Memorial Scholarship

DEADLINE FOR HOFFA SCHOLARSHIP IS MARCH 31

The James R. Hoffa Memorial Scholarship Fund awards scholarships annually to outstanding high school seniors. The deadline for this year's program is March 31, 2013.

Recipients are selected by an impartial committee of university admissions and financial aid directors based on academic achievement, SAT/ACT scores, character, potential and financial need. The Teamsters consider all applicants without regard to race, religion, gender, disability, or any other legally protected status.

Thirty-one of the awards total \$10,000 each. These four-year scholarships are disbursed at the rate of \$2,500 per year and are renewable annually.

More than 100 of the awards are one-time \$1,000 grants. These scholarships are disbursed to the college or university at the beginning of the recipient's freshman year.

Eligibility requirements and application procedures are the same for all awards.

All applicants must comply with the following eligibility and application criteria. Each applicant must:

1. Be the son, daughter or grandchild of an active, retired, disabled, deceased or laid-off Teamster member who has or had at least twelve months of consecutive membership in good standing in the Teamsters Union;

- 2. Be in his/her last year of high school and may not apply if he/she has already graduated from high school;
- 3. Be in the top 15% of his/her high school class;
- 4. Plan to submit excellent SAT or ACT scores for evaluation (U.S. only);
- 5. Plan to attend an accredited four-year college or university. Those who plan to at-

tend non-academic or certificate programs or community college, may not apply.

If you need additional assistance, please contact:

James R. Hoffa Memorial Scholarship Fund

25 Louisiana Avenue, NW Washington, DC 20001

PHONE: (202) 624-8735

Email: scholarship@teamster.org

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

FOR APPLICATION FORMS AND ONLINE ASSISTANCE, PLEASE VISIT: WWW.TEAMSTER. ORG/CONTENT/SCHOLARSHIPS

Midwest Rail Craft Scholarship Fund (MWRCSF)

Thanks to the generosity and hard work of many people, including its Board of Directors, the Midwest Rail Craft Scholarship Foundation (MWRCSF) is able to help several children of railroaders each year with their educational expenses. Scholarships from the MWRCSF 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."

The MWRCSF awards scholarships in amounts ranging from \$500 and \$1,000 and has helped as many as 28 students per year

who are 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 MWRCSF and member of BLET Division 777 (Argentine, Kan.). "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 on the Sunday and Monday after Labor Day.

Please use the scholarship application on the MWRCSF website. Fill it out electronically, print it, attach the proper signatures and mail it to the address provided. The deadline for receiving applications is June 15, 2013.

TO DOWNLOAD A COPY OF THE APPLICATION, AND FOR OTHER INFORMATION ABOUT THE MWRCSF, PLEASE VISIT: WWW. MWRCSF.ORG

BLET Auxiliary and International Western Convention (IWC) Scholarships

The BLET Auxiliary and International Western Convention (IWC) offers \$1,000 scholarships annually to help the chil-

dren of BLET and Auxiliary members realize their goals in life.

In 2013, the Auxiliary has two additional scholarships to award to children of members of both the Auxiliary and BLET: the Leona A. Louis Memorial Scholarship and the John O. and Brenda Casteel Scholarship.

There are two very strict guidelines that must be met in order to be eligible for Auxiliary scholarships. 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 or college.

In addition to its own scholarship program, the Auxiliary is administering scholarships for the International Western Convention (IWC) for calendar year 2013. This joint scholarship program is for children of members participating in the IWC and covers Divisions, Auxiliaries and Members-at-Large in the following states: Arizona, California, Colorado, Idaho, Minnesota, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming. Auxiliary membership is not a requirement to apply for the IWC scholarships.

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. Scholarship applications must be POST-MARKED by MARCH 25, 2013 to be accepted. This date was changed at the Executive Council Meeting this past June. 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.

Please remember that the applicant's parents must be a member of the BLET and the BLET Auxiliary in order to apply for one of the Auxiliary scholarships. If your parent belongs to the Southeastern Meeting Association (SMA), Eastern Union Meeting (EUMA) or the Southwestern Convention Meeting (SWCM) and they

are not a member of the BLET Auxiliary, you are not eligible to apply for any BLET Auxiliary scholarships. However, Auxiliary membership is not a requirement to apply for IWC scholarships detailed above.

Mail completed forms to: Linda D. Maher, National Secretary, 84-688 Ala Mahiku Street #161A, Waianae, Hawaii 96792. For details or clarification of eligibility call (808) 888-5783 or email Sister Maher at: biddykaili@aol.com or sissy62756@mac.com

Eastern Union Meeting Association (EUMA)

The Eastern Union Meeting Association awards several scholarships 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 T. 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 York, Ohio, Pennsylvania, Vermont, Washington D.C., and West Virginia.

The 2013 EUMA scholarship application and dues deadline is July 2, 2013. Send completed applications to:

JIM LOUIS, EUMA VICE CHAIRMAN CONRAIL SAA/CSXT NORTHERN DISTRICT, GCA

1807 Elmwood Ave., Suite #179 Buffalo, NY 14207

For more details, contact Brother Louis at: (716) 876-2303 or louisblet@verizon.net.

APPLICATIONS ARE AVAILABLE ON THE BLET WEBSITE: WWW.BLE-T.ORG/PR/PDF/EUMA_SCHOLARSHIP_APP_0113.PDF

Southwestern Convention Meeting (SWCM)

The Southwestern Convention Meeting (SWCM) awards approximately two dozen scholarships annually based on academic achievement and financial need, granting 37 awards in 2012 totaling \$26,500.

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 August 1, 2013. The 2013 convention begins on August 25. Divisions must have paid their annual SWCM convention dues for applicants from their Division to be eligible.

DOWNLOAD INTERACTIVE PDF APPLICATION FORM: WWW.BLE-T.ORG/PDF/SWC-MAPP.PDF

DOWNLOAD APPLICATION INSTRUC-TIONS: WWW.BLE-T.ORG/PR/SWCMSCH.ASP

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.

No fax or electronic copies accepted.

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 23-28. Please see your division officers for an application or for more details. Deadline this year is June 17, 2013.

APPLICATION FORMS ARE AVAILABLE
HERE: WWW.BLE-T.ORG/PR/PDF/SMA_2013_
SCHOLARSHIP_FINAL.PDF

California State Legislative Board

The BLET's CSLB will again be awarding a \$1,000 scholarship to a graduating high school senior who will attend college/ trade/ vocational school in 2013. Applicant's parent or guardian must be a member in good standing in a BLET division represented by CSLB.

Last year, the Board awarded one \$1,000 scholarship. Rules, applications and deadline information are available on the Board's website: www.calslb.net/2013_Scholarship.html

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 John A. Kavanaugh Jr. at (631) 813-2234.

BR&CF Scholarship Program

The Brotherhood's Relief and Compensation Fund (BR&CF) 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 step-children, 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 Linda Garber 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 1, 2013. ©

Improved vision care plan for members in 2013; discount plan for retirees

he BLET National Division is pleased to announced that an improved vision care plan is beginning in early 2013 for certain members. As a part of the new program, a no-cost Discount Plan is being offered to retirees.

While the Discount Plan is not a part of the Railroad Employees National Vision Plan, it provides early retirees with savings on eye exams and material purchases at an EyeMed provider location.

As of January 1, 2013, the Railroad Employees National Vision Plan will be managed by EyeMed Vision instead of VSP. There will be no changes to the Plan design, but there will be several enhancements:

- A larger national network consisting of both independent and retail-affiliated providers, including five of the top six most preferred national retailers (Lens-Crafters, Pearle Vision, Sears Optical, Target Optical and JC Penny Optical);
 - Employees will receive ID cards;
- Greater member discounts (40% ver- | RR_Retirees_Discount.pdf @@

sus the current 30%) on complete second pair purchases. There are no restrictions on how often or where a member can use the EyeMed additional pairs discount feature (applies at all in-network locations at any time); and

• During the first plan year (2013), each member can receive a \$60 discount on non-prescription Ray-Ban polarized sunglasses at a participating provider. Visit the "store locator" at www.rayban. com to locate a participating provider.

Members should have received a post card from EyeMed announcing the change from VSP to EyeMed in November 2012. New ID cards were to be mailed in late January, along with information on participating providers and a Summary of Benefits.

For further information on this and other health care related topics, please visit: www.rrinfodepot.com.

Information on the early retiree Discount Plan, including an ID card, is available here: www.ble-t.org/pr/pdf/Eye_Med_RR_Retirees_Discount.pdf @@

UPDATE FROM BLET TAX COMPLIANCE DEPARTMENT

nternal Revenue Service regulations require the BLET National Division to inform its members that a certain portion of your National Division dues are not tax deductible as a miscellaneous itemized deduction on your personal tax returns.

According to the National Secretary-Treasurer's office, 84.20 percent of your BLET National Division dues are tax deductible on a Form 1040 tax return.

The 15.80 percent of dues that is not tax deductible pays for expenses the union incurs to protect its members via the legislative process to ensure that worker-friendly laws remain in effect and are improved, and to resist efforts by labor's opponents to implement changes that are detrimental to the membership. ©®



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National Labor College to offer hazmat training at regional locations

he National Labor College will conduct numerous hazardous materials training workshops for railroad workers at various regional locations throughout the United States during 2013.

The first two programs of 2013 are 5-day Hazardous Materials Chemical/Emergency Response Training Programs, which will be held as follows:

APRIL 14-20, 2013
HOUSTON, TEXAS
VAL JAHNKE TRAINING FACILITY
8030 BRANIFF STREET
HOUSTON, TX 77061

MAY 5-10, 2013 LAUREL, MD. HOLIDAY INN 15101 SWEITZER LANE LAUREL, MD 20707

These programs begin at 8 a.m. and end at 5 p.m. daily (with a one-hour noon lunch break).

The 5-day Hazardous Materials Chemical/ Emergency Response Training Programs address OSHA and DOT required training. Additionally, the workshops cover procedures and different levels of response and worker protection in a hazardous materials emergency or release, as well as weapons of mass destruction awareness and the incident command system. The training also provides components required to complete the OSHA 10-Hour Outreach certification. The training includes classroom instruction, small group activities, hands-on drills and a simulated hazmat response in full safety gear.

The Rail Workers Hazardous Materials Training Program is funded to provide this training by a federal grant from the National Institute of Environmental Health Sciences. This fiveday hazmat training course is targeting rail workers at the local level. Applicant selection will be in the following order: local residents not requiring lodging followed by those within a 500-mile driving radius; and then those requiring air transportation to attend.

All questions should be directed to Freddie Thomas at (301) 431-5457 or fthomas@nlc.edu.

A stipend of \$625.00 per week is available to all training participants in these programs, except those who are able to secure regular pay through their employer, or are paid union officers. ©

FOR MORE INFORMATION OR TO REGISTER ONLINE, PLEASE VISIT THE RAIL WORKERS HAZARDOUS MATERIALS TRAINING PROGRAM WEBSITE: WWW.HAZMATGMC.ORG

SECOND ANNUAL REPORT ON BLET EDUCATION & TRAINING FUND

hen delegates attending the BLET's Second National Convention in Reno, Nevada, agreed to establish a dedicated fund for Education and Training in October of 2010, they stipulated that an annual accounting of funds be published in the January issue of the BLET's newsletter

Specifically, members pay \$1 per month to fund and maintain the BLET Education and Training Department. Section 7 (g) — National Division Rules — of the BLET Bylaws (Page 25) reads as follows:

"All members in active service, including those holding official positions with the carrier and those employed exclusively by the BLET, shall pay \$1.00 per month dues to establish and maintain and education and training fund, subject to the provisions of Section 29 — National Division Rules. Funds received from such dues shall be used for education and training classes and/or workshops for officers and members of the BLET. A balance report outlining the disbursements from the fund will be published in the newsletter each January." ©

EDUCATION AND TRAINING FUND BALAN	ICE REPORT FOR 2012
REVENUE	
PUBLISHED BALANCE AT 1/1/2012	\$101,048
ADD: SUBSEQUENT REVISION	\$912
BEGINNING BALANCE AT 1/1/2012	\$101,960
TOTAL 2012 RECEIPTS	\$362,021
TOTAL AVAILABLE E&T FUND FOR 2012	\$463,981
EXPENDITURES	,
INSTRUCTOR AND STAFF COSTS	\$393,351
WORKSHOP EXPENSES	\$36,867
TOTAL EXPENDITURES FOR 2012	\$430,218

ENDING BALANCE AT DECEMBER 31, 2012 \$33,763

OSHA HITS HOME RUN

ry and also is assessed discipline related to the incident.

• Implementing a program to teach BNSF managers and labor relations and human resources professionals about their responsibilities under the FRSA as part of their annual supervisor certification.

The railroad also has agreed to make settlement offers in three dozen cases in which an employee filed a whistleblower complaint with OSHA claiming harm from one or more of the above policies.

"Ensuring that employees can report injuries or illnesses without fear of retaliation is crucial to protecting worker safety and health," added Dr.

Michaels. "If employees do not feel free to report injuries or illnesses, the employer's entire workforce is put at risk because employers do not learn of and correct dangerous conditions that have resulted in injuries."

BLET National President Dennis R. Pierce hailed the accord as a significant victory for BLET members and all rail workers. "We have worked closely with Dr. Michaels on problems involving this Carrier and others," Pierce said. "Dr. Michaels and his team have distinguished themselves with this accord, and are to be congratulated. This is a home run for all railroad workers.

"It is also noteworthy that the Carrier stepped up to the plate and agreed to these long-overdue reforms," Pierce

added. The National Division will continue to work with OSHA so that we can leverage today's accord from property to property for the benefit of each BLET member."

OSHA reports that it has received over 1,200 whistleblower complaints by railroad workers between August 2007 and September 2012, which is higher than for all other whistleblower protection statutes enforced by the agency, except one. In addition, the agency says that over 60% of rail worker whistleblower complaints allege retaliation for reporting an on-the-job injury. ©®

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THE OSHA-BNSF ACCORD:
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SEPTA VICTORY

CONTINUED FROM PAGE 1 →○►

was required to conduct the second prong of the test because all six factors did not uniformly point to SEPTA being not entitled to immunity.

The second prong of the test examined two factors: primarily, whether FELA suits against SEPTA offend the dignity of the Commonwealth of Pennsylvania; and, secondarily, what impact a FELA judgment against SEPTA would have on the Commonwealth's treasury.

Regarding the first factor, the Court found that FELA suits against SEPTA do not offend the dignity of the Commonwealth because it is not named as a defendant, does not participate in the suit, and has specifically repudiated, by statute, any legal responsibility for obligations incurred by SEPTA. The Court also found that a FELA judgment against SEPTA would have no impact on Pennsylvania's treasury because the Commonwealth has no legal liability for such judgments.

The BLET and other rail unions have battled against SEPTA to protect workers' rights regarding FELA for nearly four years. The issue first surfaced in January of 2009, when SEPTA posted notices throughout the property instructing its commuter rail workers who were injured on the job to seek remedy under the Pennsylvania Workers' Compensation Act instead of the FELA. SEPTA had to retreat after the BLET and several other Rail Labor unions joined forces to challenge SEPTA's position.

BLET National President Dennis R. Pierce hailed BLET General Counsel Mike Wolly and Margo Pave for their work in securing this victory. "Mike and Margo did a tremendous job coordinating the friend of the Court brief filed by the BLET and the other unions on SEPTA and in providing key support in this case," Pierce said. "The Court's slam-dunk decision is a huge victory for BLET members and other railroad workers, and I am very pleased that justice has been done." @®

THE PENNSYLVANIA SUPREME
COURT'S OPINION CAN BE READ,
PRINTED OR DOWNLOADED
FROM THE BLET WEBSITE:
WWW.BLE-T.ORG/PR/PDF/
GOLDMAN DECISION 12-19-12.PDF

SECRETARY-TREASURER TRAINING

Nearly 40 new Secretary-Treasurers completed a five-day workshop conducted by the BLET Education & Training Department in Cleveland, Ohio, from December 9-13, 2012.

Attendees and class instructors are pictured in the office of BLET National President Dennis R. Pierce (below) and on the staircase at the Hyatt Regency Cleveland at The Arcade (right).







Arlin Todd reelected by acclamation in Louisiana

rother Arlin S.Todd was reelected by acclamation to the office of Chairman of the Louisiana State Legislative Board at the Board's quadrennial meeting in New Orleans, La., August 13, 2012.

Brother Todd is a member of BLET Division 914 (Baton Rouge, La.) and joined the Brotherhood on May 1, 1974. This is his third term as Chairman of the Louisiana State Legislative Board.

Also elected were: 1st Vice Chairman L.J. "Joe" Rinchuso Jr., Division 219 (Shreveport, La); 2nd Vice Chairman, David C. Stockinger, Division 426 (New Orleans); Secretary-Treasurer Stephen W. Prator Jr., Division 599 (Shreveport, La.); and Alternate Secretary-Treasurer Adam Higginbotham, Division 636 (Lafayette, La).

Representing the BLET National Division at the meeting were: National President Dennis R. Pierce; First Vice President E. Lee Pruitt; Vice President and National Legislative Representative John P. Tolman; and Coordinator of Education and Train-

ing Department and Special Representative Ken N. Kroeger.

"I offer my sincere thanks and congratulations to Brother Todd and to all officers of the Louisiana State Legislative Board," President Pierce said. "I know they will do a fine job of representing the legislative and political interests of our members in Louisiana."

Also in attendance were: Arkansas State Legislative Board Chairman Terry L. Todd; Texas State Legislative Board Chairman Terry D. Briggs; General Chairman D.W. "Bill" Hannah, Union Pacific-Western Lines General Committee of Adjustment; and John R. Eutsler, 2nd Vice Chairman, UP-WL GCA.

The meeting ended on August 14 with a training workshop for Legislative Reps.

The Louisiana State Legislative Board encompasses 13 BLET Divisions from six different railroads (CN, Union Pacific, BNSF Railway, Kansas City Southern, Amtrak and Mid-South) and represents approximately 780 active and retired members. ©®



Delegates, officers and guests attending the quadrennial meeting of the Louisiana State Legislative Board in New Orleans, La., August 13, 2012.

2013

Calendar Events

PLAN AHEAD FOR 2013

June 23-28, 2013 86th Annual Southeastern Meeting Association (SMA) RICHMOND, VA.

Arrangements Chairman Troy Bryant, Local Chairman of Division 532, welcomes all BLET members to historic Richmond/Short Pump, Va., for the 2013 SMA. More details to come.

July 14-July 18, 2013 73rd Annual International Western Convention

SAN FRANCISCO, CALIF.

Hosted by Co-chairmen Luis Chavez Jr., Local Chairman of Division 283 (Oakland, Calif.) and Oscar Burrola, Local Chairman of Division 839 (Richmond, Calif.), at the Hilton San Francisco Financial District Hotel for the 2013 IWC. www.iwc2013.org

July 28-August 1, 2013 75th annual Eastern Union Meeting Association (EUMA)

BALTIMORE, MD.

Arrangements Chairman Fred Cox, Local Chairman of BLET Division 52, welcomes all BLET members to Baltimore for the 2013 EUMA. More details to come.

August 25-29, 2013 78th annual Southwestern Convention Meeting (SWCM)

NEW ORLEANS, LA.

Arrangements Chairman Arlin Todd, Chairman of the Louisiana State Legislative Board, welcomes all BLET members to the Loews New Orleans Hotel for the 2013 SWCM. More details to come.

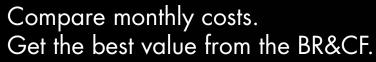
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1/13

Photo of the Month: January 2013

BROTHERHOOD BIRTHPLACE: It was in the Firemen's Hall in Detroit where the Brotherhood of the Footboard held its first meeting on May 8. 1863. The organization changed its name to Brotherhood of Locomotive Engineers in 1864, and then to Brotherhood of Locomotive Engineers and Trainmen in 2004, and the old Firemen's Hall was demolished sometime in between. The BLET will mark its 150th anniversary on May 8, 2013. This is the first in a series of photos from the BLET archives that will be published this year in recognition of the organization's 150th anniversary.



Public Relations Department, which produces the Newsletter each month, has received numerous inquiries lately you may call Editor John Bentley at (216) 241-2630, ext. from BLET members volunteering to contribute their 248, or you can email: Bentley@ble-t.org.

Are you a photographer? The National Division's images to the "Photo of the Month" section of the Newsletter. If you'd like to submit a photo for consideration,

Please note only high resolution images can be used. Members are also encouraged to review their employer's policies regarding the use of cameras and other electronic devices while on duty.

Advisory Board November 2012 Activity

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

NATIONAL PRESIDENT DENNIS R. PIERCE: National Division Office, Cleveland; General supervision of BLET activities; General office duties; Correspondence and telephone communications; Supervision of Office Administration; General Supervision of Special Representatives; President, Teamsters Rail Conference; Policy Committee, Teamsters Rail Conference; New Mexico State Legislative Board mtg., Albuquerque, N.M.; Advisory Board mtg., Fort Worth, Texas; National Legislative Board mtg., Fort Worth, Texas.

FIRST VICE PRESIDENT E.L. "LEE" PRUITT: National Duties include but not limited to: Director, Passenger Dept.; Shortline Organizing Dept.; Trainmen's Dept.; National Publications Committee; National Legislative Board; Teamsters Rail Conference Policy Committee; PRAC; and National Negotiations; LIRR retirement dinner dance, New York; New Mexico State Legislative Board mtg., Albuquerque, N.M.; Vacation; Holiday; Advisory Board mtg. and National Legislative

NATIONAL SECRETARY-TREASURER WILLIAM C. WALPERT: General supervision of accounting dept., records dept., online services dept., tax compliance dept.; Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; Safety Task Force; Meetings with vendors and financial institutions; Publications Committee; Teamsters Rail Conference Policy Committee; Trustee, National Railroad Retirement Investment Trust (NRRIT); LIRR retirement dinner dance, New York; Holiday; Advisory Board mtg., National Legislative Board mtg., and Special Reps mtg., Fort Worth, Texas.

VICE PRESIDENT & NATIONAL LEGISLATIVE REPRESENTATIVE JOHN P. TOLMAN: Assigned to BLET Washington, DC office; BLET Security Officer; General office duties, telephone, correspondence communications; Coordinate content of NLO website; Weekly Drive Committee and Legislative meetings; Election 2012 Get Out The Vote drives in Missouri, Arizona, Ohio and multiple other states; Met with VPGA, COO-BNSF; IBT Political Coordinator monthly mtg.; Post-Election 2012 conference. Obama for America: Advisory Board mtg. and National Legislative Board mtg., Fort Worth, Texas; Various receptions and meetings with members of U.S. House of

VICE PRESIDENT MARCUS J. RUEF: Vice Chairman, full NRAB; Labor Member, 1st Division; Labor Member, National Mediation Board Arbitration Advisory Forum; Director of Arbitration Dept; Assigned to Illinois Central; Wisconsin Central; Grand Trunk Western; Duluth Missabe & Iron Range; Elgin, Joliet & Eastern; Indiana Harbor Belt; and Belt Railway of Chicago; LIRR Div. 269 retirement dinner dance, New York; Section 6 mediation, WC, Baltimore; PLB 7236 (WC) and PLB 7554 (CF&E), Chicago; Assist GC Cundari, IHB, Chicago; Docket review w/ Doug Davidson, Chicago; NRAB admin, Chicago; Grievance mediation training at NMB, NRAB, Washington, D.C.; NMB psgr. Lr. Conference, Washington; Assist GC Craddock w/ Section 6 negotiations, IC, Chicago; Advisory Board meeting and training, Fort Worth, Texas; Assist GC Reynolds, WC; Assist GC Craddock, IC.

VICE PRESIDENT MIKE TWOMBLY: Assigned to all Union Pacific GCAs (Eastern District, Northern Region (former C&NW), Western Lines (Pacific Harbor Lines), Western Region (Portland & Western, Eastern Idaho), Central Region, Southern Region (New Orleans & Gulf Coast); On duty at home office: LIRR retirement dinner dance, New York: Union meeting at AFL-CIO SEIU office in Lowell, Mass.; Advisory Board mtg., Fort Worth, Texas.

VICE PRESIDENT WILLARD E. KNIGHT: Assigned to: All Norfolk Southern General Committees Wheeling & Lake Erie; Chicago, Fort Wayne & Eastern; New York, Susquehanna & Western; New England Central; Connecticut Southern; Western New York & Pennsylvania; Indiana & Ohio; Ohio Central; Grand Trunk Western; General office duties, telephone, correspondence communications, prepare for PLBs, etc.

VICE PRESIDENT GIL GORE: Assigned to all CSX; Union Pacific-Southern Region GCA special assignment; Dispute Resolution Committee (DRC) issues, CSXT; General office duties, paperwork, correspondence, telephone calls, etc.; PLB 7384 Executive Session, CSX; Talleyrand RR negotiations, Jacksonville, Fla.; Web mtg. DRC process conference call; Holiday; Advisory Board mtg., Fort Worth, Texas.

VICE PRESIDENT MICHAEL D. PRIESTER: Assigned to all BNSF (former ATSF, former C&S, CRI&P, FWD, former STL-SF, BNSF/MRL), Panhandle Northern, Missouri & North Arkansas, Montana Rail Link, Austin Western RR, Great Western: General office duties, telephone, correspondence communications, etc.; Advisory Board mtg. and training, Fort Worth, Texas; Mtg. w/ BNSF Labor Relations and GC Wilson, Fort Worth, Texas

VICE PRESIDENT COLE W. DAVIS: Assigned to: Kansas City Southern (MidSouth Rail, SouthRail, Gateway Western, Illinois & Midland), Texas Mexican Rwy.; CP Rail System/US (Indiana Southern, Iowa, Chicago & Eastern, Dakota, Minnesota & Eastern); Springfield Terminal (St. Lawrence & Atlantic, Montreal, Maine & Atlantic, Delaware & Hudson), Cedar River, Louisville & Indiana, Huron & Eastern; General office duties, telephone, correspondence communications, etc.; Assist GC Craddock; Assist GC Parker, KCS issues; LIRR retirement dinner dance, New York; Assist GC Lorenz, Huron & Eastern issues; Assist GC Semenek, CP issues; Mtg. of Division 612 w/ GC Parker, KCS, Lake Charles, La.; Assist GC Rodriguez, Tex/Mex issues; Arbitration prep and assist GC Semenek w/ PLB 7555, Chicago; Advisory Board mtg. and training, Fort Worth, Texas; Mtg. of Division 573 and Christmas party w/ GC Parker, KCS, Garland, Texas.

VICE PRESIDENT STEPHEN J. BRUNO: Assigned to various Rail Safety Advisory Committees (RSAC); Regulatory duties as assigned by the President; Amtrak; Long Island Rail Road; New York & Atlantic; Metro North; New Jersey Transit; PATH; SEPTA; Metra; Union Railroad; Birmingham Southern; Telephone calls, correspondence, general office duties, etc.; NMB conference call re: RSAC, FMP Infrastructure task force, Washington, D.C.; LIRR retirement dinner dance, New York; Mtg. w/ GC Dixon, re: SEPTA contract, Philadelphia; Vacation; NMB passenger rail conference, Washington, D.C.; RSAC, RRP review final draft NPRM; Advisory Board mtg. and training, Fort Worth, Texas; PLB 5210 arbitration, PATH, Philadelphia.

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