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STARRY SKIES

A CSX locomotive leads a rock train at Vulcan Materials Quarry near Notasulga, Ala., on January 10, 2015. The 30-minute exposure on this photograph features the trails of star lights moving overhead as well as the light streaks from a passing train — a mixed freight heading south to Montgomery.

Photo: courtesy of Frank Orona



Court victory vindicates BLET position on two-person train crews

In a major legal victory to protect two-person train crews, the U.S. Court of Appeals for the Sixth Circuit ruled in favor of BLET's position that the Wheeling & Lake Erie's use of managers in place of Union conductors is a major dispute under the Railway Labor Act. The ruling, issued on April 20, 2015, vindicates BLET's decision to strike over the issue more than 18 months ago.

In September 2013, the BLET went on strike over the W&LE's repudiation of Collective Bargaining Agreements that cover the locomotive engineer and trainmen operating crafts. Specifically, the Carrier ignored longstanding crew consist agreements and operated single-person operations in an effort to eliminate Trainmen.

When W&LE challenged the strike, the District Court ruled the dispute to be a minor one and granted the Carrier a Temporary Restraining Order (TRO). While the TRO put the BLET members back to work, the District Court conditioned it "on W&LE's agreement not to

use supervisors or other management employees in place of engineers or conductors in the operation of its trains." The TRO was later converted into an injunction.

A unanimous three-judge panel on the Sixth Circuit reversed the District Court. It found that W&LE's "claim that the Trainmen Agreement allowed it to man trains without union conductors is frivolous or obviously insubstantial, and the dispute is major." The Court of Appeals also vacated the injunction and remanded the case back to the District Court with instructions to dismiss the W&LE's complaint.

"The favorable ruling from the U.S. Court of Appeals for the Sixth Circuit constitutes a major victory for all BLET members, especially our Brothers and Sisters at the W&LE," BLET National President Dennis R. Pierce said. "They have fought the good fight for many years now and have stood strong against the carrier's wishes to implement one-person train operations. They deserve our

thanks for holding the line on this all-important safety issue.

"I would also like to thank General Chairman Dewayne Dehart, retired General Chairman R.H. Linsey, Local Chairmen Kevin Nahrebecki and Lonnie Swigert and the members of Division 292 for standing strong. I want to thank General Counsel Mike Wolly and his team for helping to secure this major court victory on behalf of our members," President Pierce concluded.

Contract negotiations at the railroad have been stalled for years as the Carrier apparently seeks to eliminate crew members and force one-person train operations. The BLET has long opposed to such freight operations as being adverse to worker and public safety. @@

**A COPY OF THE COURT RULING
IS AVAILABLE FOR DOWNLOAD
FROM THE BLET NATIONAL
DIVISION WEBSITE:**

[WWW.BLE-T.ORG/PR/PDF/
WLE_OPINION_AND_ORDER.PDF](http://WWW.BLE-T.ORG/PR/PDF/WLE_OPINION_AND_ORDER.PDF)

BLET BUYS NEW HEADQUARTERS BUILDING

The National Division of the Brotherhood of Locomotive Engineers and Trainmen has purchased a new headquarters building in the Cleveland suburb of Independence, Ohio. The new location fulfills the BLET Bylaws requirement that the National Division headquarters be located in the greater Cleveland area.

The BLET sold its former headquarters, the Standard Building, in July of 2014. A stipulation of the Standard Building sale agreement was that BLET would lease back the space the Brotherhood currently occupies for a minimum of two years and a maximum of three years to relocate.

"This is an exciting time for our Brotherhood," BLET National President Dennis R. Pierce said. "Work will begin immediately to fit the new property to our operations, and once completed, our new headquarters location will provide ample room for our National Division officers and staff in a more modern work environment. We will also use this opportunity to continue and expand our state-of-the-art Education and Training Center."

More information on the new BLET headquarters building will be made available as developments warrant. @@



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SPECIAL JOINT STATEMENT BY DENNIS R. PIERCE & JOHN PREVISICH

AMTRAK TRAGEDY

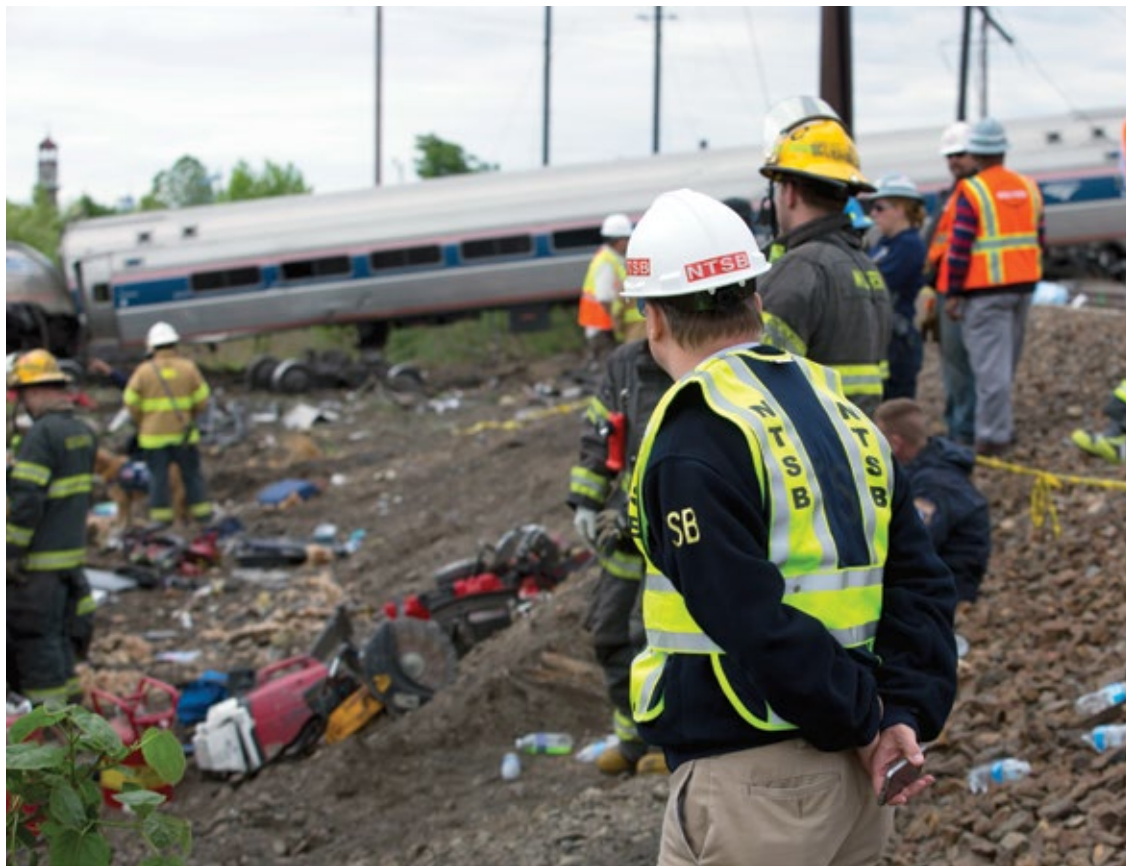
BLET/SMART-TD statement on Positive Train Control, crew size following fatal Amtrak derailment in Philadelphia

(The following is a joint statement by Dennis R. Pierce, National President of the Brotherhood of Locomotive Engineers and Trainmen, and John Previsich, President, SMART Transportation Division, regarding questions that have arisen since the fatal Amtrak derailment in Philadelphia on May 12, 2015.)

Members of BLET's Safety Task Force and SMART Transportation Division's National Safety Team, in addition to representatives from the Brotherhood of Maintenance of Way Employees Division of the Teamsters Rail Conference (BM-WED), are working with the National Transportation Safety Board (NTSB) to assist in the investigation of the catastrophic May 12 derailment of Amtrak Train 188.

Significant progress has been made in understanding how the accident occurred on May 12. That portion of the investigation is not yet complete, however, and even more work needs to be done to determine why the events of that tragic night transpired the way they did.

BLET and SMART-TD do not make official comments about any ongoing NTSB investigation. Due to the number of press inquiries concerning issues not under investigation, however, we are providing the following information on why Amtrak trains on the Northeast Corridor are manned by a lone engineer in the control cab and why Positive Train Control (PTC) has not been installed on the Corridor. The answers to both questions begin with the United States Congress.



National Transportation Safety Board (NTSB) investigators on the scene of the Amtrak Train #188 derailment in Philadelphia, Pa. Photo: courtesy NTSB Flickr

WHY A ONE-PERSON TRAIN CREW?

In 1981, Congress passed legislation (the Northeast Rail Service Act of 1981) that ended the previous Conrail requirement that there be a second crew member in the control cab of commuter rail trains on the Northeast Corridor. Armed with that legislative precedent — and mindful of where its funding originates — Amtrak has since 1983 refused to crew Northeast Corridor trains with more than one employee in the cab — the locomotive engineer. Although BLET and SMART-TD have steadfastly maintained that there should be two crew members in the cab of all trains to ensure public safety, only Congress can change the 1981 legislation that reduced crew

size on the Northeast Corridor. But this is only one piece of a very large, complex puzzle.

WHY NO POSITIVE TRAIN CONTROL?

On the heels of another catastrophic railroad accident in Chatsworth, CA, the federal government mandated in 2008 that Positive Train Control (PTC) be put in effect by the end of this year. That was seven years ago. Even with that mandate in place, and with the exception of some railroads such as BNSF Railway, the industry at large has spent the interim finding reasons to avoid implementing PTC technology. They have created the situation about which they all now complain — they say they cannot meet the December 31, 2015

deadline. Each death caused by the delay of PTC implementation is one too many, yet Congress is preparing to consider a blanket 5-year extension to 2020. This is most certainly not in the public interest.

Since 2005, the NTSB has completed 16 investigations of railroad accidents that could have been prevented or mitigated with PTC. These 16 accidents claimed 52 lives — many being BLET and SMART-TD members — and injured 942 people, with damages totaling hundreds of millions of dollars. NTSB has publicly stated that the accident on May 12, 2015 was also PTC preventable. There is no disagreement over the value of PTC technology.

That said, there is no technology available today that can ever safely replace a second crew

member in the cab of the locomotive. The only thing on a locomotive that is not a machine is the crew. The uncontrolled external environment in which trains are operated along with regulatory and operational demands of a safe transportation service demand a crew of at least two fully trained and qualified employees in the control cab of every train. PTC is only a safety overlay that ensures a safer operation, and no technology can replace the level of safety provided when two crew members are on board and can serve as a check and balance to one another.

Even with all the safety-related technology that the government has mandated on commercial airlines, the public would never accept an airline operation with a single person in the cockpit. There is no reason that rail employees and rail passengers' lives should be viewed any differently.

Contrary to what some in government may say, the only place that crew size and PTC do connect is when it comes to funding. That is especially true in the case of Amtrak, because the government has woefully underfunded Amtrak since its inception. Additional crew members and new technology both cost money, and so long as those in Congress see fit to underfund the operation, they undermine their own mandate and shortchange the safety of the traveling public.

Sincerely,

DENNIS R. PIERCE
BLET NATIONAL PRESIDENT
&
JOHN PREVISICH
SMART TRANSPORTATION
DIVISION PRESIDENT

66 That said, there is no technology available today that can ever safely replace a second crew member in the cab of the locomotive. 99

BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Official 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 poli-

cy 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

RENEWED COMMITMENT TO INFRASTRUCTURE IS ESSENTIAL

The U.S. has a long history as a beacon of economic opportunity for the world. This was achieved by investing in infrastructure that could sustain both citizens and businesses and allow them to grow and succeed.

That commitment has waned, however, in recent years. Government on all levels has not provided funding to keep pace with the nation's road, transit and public works needs. The result is a crumbling mess that hampers the ability of workers to get to their jobs and in many cases accomplish their duties as well as they could otherwise. It also affects the bottom line of many companies and hinders the hiring of new employees.

Many Teamsters would profit from a renewed commitment to infrastructure. For instance, members of the Teamsters Rail

Conference would benefit from the additional work that would come from repairing and expanding railroad networks across the country.

There is a need to think big — real big. Sen. Bernie Sanders (I-Vt.) is trying to do just that, unveiling a proposal that would spend \$1 trillion over the next five years to beef up the country's network of bridges, roads and mass transit that has fallen into disrepair. It's not an outrageous request, given the American Society of Civil Engineers (ASCE) has estimated that \$3.6 trillion should be spent on infrastructure by 2020.

President Obama is also raising the ante on infrastructure, trotting out his own six-year, \$478 billion plan for transportation improvements. It's not as bold, but it's a start. Now Congress just needs to get with the program.

There can be no denying the

U.S. is in need of greater investment. ASCE noted in its most recent report card that the current state of American infrastructure only rates a D+. That's no way to try and compete in today's global economy.

This should be a matter that transcends politics. When there is an issue that helps both workers and businesses, that is a win-win for lawmakers. But there still seems to be hemming and hawing coming from some on Capitol Hill.

Rebuilding America is an issue everyone should support. It's time for members of Congress to make a real investment that will benefit the American economy going forward.

Faternally,

JAMES P. HOFFA
TEAMSTERS GENERAL
PRESIDENT



66 President Obama is also raising the ante on infrastructure, trotting out his own six-year, \$478 billion plan for transportation improvements. It's not as bold, but it's a start. Now Congress just needs to get with the program. 99

BLET urges Senators to oppose extension of Positive Train Control deadline

The Brotherhood of Locomotive Engineers and Trainmen (BLET) is strongly opposing S. 650, the Railroad Safety and Positive Train Control Extension Act, which was considered by the Senate Committee on Commerce, Science & Transportation in late March.

Positive Train Control (PTC) is a technology that will prevent most train-to-train collisions in the rail industry, and was mandated by the Rail Safety Improvement Act of 2008. The Deadline for implementation of PTC technology is December 31, 2015, and when it is completed, the technology will cover nearly 60,000 miles of track. S. 650 proposes extending the deadline for the implementation of PTC from the current deadline to December 31, 2020, with the possibility of an additional two-year extension to 2022.

In addition to the blanket extension, the legislation prohibits the Federal Railroad Administration (FRA) from ever requiring railroads other than Class I and passenger/commuter railroads to have PTC if "the railroad does not choose to implement positive train control." Additionally, it mandates that the FRA must respond to a railroad application for extension within 10 days, which makes it nearly impossible for FRA to perform the sort of analysis required to determine whether the applicant truly cannot

"Since 2005, the NTSB has completed 16 investigations of railroad accidents that could have been prevented or mitigated with Positive Train Control."

— VP & NLR **JOHN TOLMAN**

comply with the law, and would effectively grant the railroads the requested extension with little or no proof of legitimate need.

Secretary of Transportation Anthony Foxx said the Obama administration is opposed to extending the PTC implementation deadline, testifying before the House Transportation and Infrastructure Committee in early February that the U.S. Department of Transportation (DOT) continues to hold the "industry's feet to the fire in getting PTC done as quickly as possible," as opposed to allowing a blanket extension. In spite of that, certain railroads have convinced their "friends" in Congress to propose just that.

"Not all railroads have treated PTC

the same, but contrary to statements made by certain railroads, Positive Train Control is not a new technology," BLET National President Dennis R. Pierce said. "It has been around in some form for more than 40 years, and has been on the National Transportation Safety Board's most wanted technology list since 1971.

"The bottom line is that the technology saves lives, both in the railroad workplace and with the public in general. On the heels of the horrific railroad accident at Chatsworth, California that claimed 27 lives, Congress mandated in 2008 that PTC technology be implemented by the end of 2015. This latest push by Congress to now allow up to a 7-year delay raises the question of just who Congress works

for — their large corporate benefactors or the general public. Those pushing this extension have obviously forgotten the multitude of avoidable railroad tragedies and resulting loss of life much quicker that I will ever be able to," said President Pierce.

"Since 2005, the NTSB has completed 16 investigations of railroad accidents that could have been prevented or mitigated with Positive Train Control," BLET Vice President & National Legislative Representative John Tolman said. "These 16 accidents claimed 52 lives and injured 942 people; the damages totaled hundreds of millions of dollars; and yet certain railroads have spent the last seven years dragging their feet on the implementation of PTC.

"Each death caused by the delay of PTC's implementation is one too many, and Congress capitulating to the railroads for this broad extension is most certainly not in the public interest," Tolman said. ©

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BLET, 9 other unions, request arbitration in NJ Transit negotiations

The Brotherhood of Locomotive Engineers and Trainmen has asked the National Mediation Board (NMB) to proffer arbitration after reaching an impasse in contract negotiations with New Jersey Transit (NJT).

The BLET's request was made in concert with the nine other unions of the New Jersey Transit Rail Labor Coalition. The Coalition represents 88 percent of the overall rail union membership on NJT. It was formed over the past several months after three years of bargaining by each union with the commuter rail agency proved unsuccessful. BLET began negotiations with NJT with the serving of a Section 6 Notice on April 12, 2011. Since that time, the BLET has held numerous bargaining meetings with NJT, both individually and as a member of the Coalition.

Describing the differences in bargaining positions between the parties as "immense," BLET National President Dennis R. Pierce requested the proffer of arbitration in a letter to the NMB dated March 27, 2015.

The Coalition elected to seek release after it became clear that NJT would not make a reasonable offer. The Coalition has proposed a settlement patterned after contracts achieved this round with Long Island Rail Road and Metro-North. NJT,



Negotiations with NJ Transit have been stalled since 2011.

however, insists on a concessionary contract where employees with families would pay more than four times what they pay now for health benefits.

On March 23, the NMB forwarded the Coalition Unions' release requests to New

Jersey Transit and gave NJT until April 6 to respond. At of press time, the BLET has not been apprised of the carrier's response. The NMB has requested the parties to meet in Washington D.C. in late April, and it is expected that the NMB's

decision will come shortly thereafter.

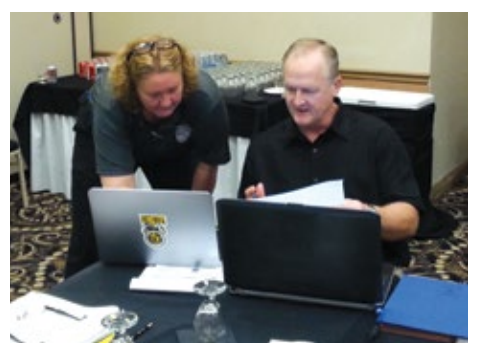
By law, the NMB must first proffer binding arbitration to the unions and NJT before it can release the parties from mediation. Once offered, if either side notifies the NMB that they reject binding arbitration, that starts a 30 day cooling off period that must pass before the unions or the railroad would have any rights to exercise self help. During that time, or even after that first opportunity for self help has started, NJT, the Governor of any State where NJT operates or the unions could request President Obama to appoint a Presidential Emergency Board (PEB) or the President could appoint one himself, which would reinstate the status quo and reinstate the service. The process could include two consecutive Presidential Emergency Boards. The first PEB would most likely be appointed within 30 days of either side's rejection of the proffer of arbitration, thus postponing either party's rights to exercise self-help. Should the entire process run the full 270-day course without the parties reaching an agreement, either side could resort to self-help, at which time only an act of the U.S. Congress could end the lock out.

"It is clear an impasse exists," President Pierce wrote. "I respectfully request the National Mediation Board proffer arbitration in this case." ©

BLET officers complete LM-2 Secretary-Treasurer workshop

Pictured here are the BLET officers who completed training last week in the Education & Training Department's LM-2 Secretary-Treasurer workshop (along with classroom instructors and guests). The LM-2 report is a yearly financial report required by the U.S. Department of Labor for union groups with \$250,000 or more in total annual receipts. In general, the workshop was geared toward Secretary-

Treasurers from BLET General Committees of Adjustment and larger Divisions along with some State Legislative Boards. Among other items, Secretary-Treasurers reviewed Secretary-Treasurers LM-2 reporting, membership reporting, filing requirements, bond requirements, computer applications, as well as changes for 2015. On behalf of the BLET National Division, thank you to all those who made this workshop a success. ©



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RRB announces Spring 2015 dates for informational conferences and new pre-retirement seminars

The U.S. Railroad Retirement Board (RRB) has announced a schedule of dates for the agency's spring 2015 Informational Conferences and Pre-Retirement Seminars.

Informational Conferences will be held in 22 locations across the country, which began March 13 in California. Started nearly 60 years ago by the RRB's Office of the Labor Member, the conferences provide rail union officers with a comprehensive overview of the provisions and financing of the railroad retirement and unemployment insurance systems. These officials, in turn, pass on to their fellow rail labor membership the information acquired at the conferences.

Pre-Retirement Seminars are planned for several locations during the spring, with the first held April 17 in Albuquerque, N.M. Designed for railroad employees and spouses plan-

Spring 2015 Informational Conference Schedule JUNE 2015

June 5 Billings, Mont.
Hilton Garden Inn Billings,
2465 Grant Rd.

June 5 Indianapolis, Ind.
LaQuinta Inn & Suites, 5120 Victory
Dr. (I-465 & South Emerson Ave.)

June 12 Portland, Ore.
Hilton Garden Inn, Portland Airport,
12048 NE Airport Way

June 12 Barboursville, W.Va.
Holiday Inn & Suites,
3551 U.S. Route 60 E

June 19 Tinley Park, Ill.
Tinley Park Convention
Center, 18451
Convention Center Dr.

June 19 Fargo, N.D.
Best Western Plus
Kelly Inn & Suites,
1767 S. 44th St.

Spring 2015 Pre-Retirement Seminar Schedule

Please visit the Office of the
Labor Member's section of the RRB
home page for registration forms

and contact information for the
following seminars.

June 5 Des Moines, Iowa
UAW Local 450,
4589 Northwest
6th Drive

June 19 Atlanta, Ga.
Peachtree Summit
Federal Building,
Summit Exchange, 1st Floor

ning to retire within five years or less, the seminars familiarize attendees with the retirement benefits available to them, and also guide them through the application process. The program began in 2014 on a pilot basis.

Informational Conferences are open to union officials and their spouses by invitation only. Labor representatives who do not receive an invitation to a conference in their area should contact the RRB toll-free at (877) 772-5772 and request that they be added to the agency's invitation database.

Registration for each conference begins at 8 a.m., with the program starting at 8:30 a.m. and concluding at 12:15 p.m.

Pre-Retirement Seminars are open to the railroad public. However, persons wishing to attend are asked to print and complete a registration form, which is available by visiting the RRB's website at www.rrb.gov, and selecting the Office of the Labor Member's Educational Materials link in the Spotlight section of the home page. Seminar space is limited and registration is accepted on a first-come, first-served basis.

Completed forms should be mailed or faxed to the RRB office listed on the form as soon as possible. Check-in for each seminar begins at 8 a.m., with the program starting at 8:30 a.m. and concluding at 12:30 p.m.

Individuals who have not previously submitted documents required when filing a railroad retirement annuity application, such as proofs of age, marriage, or military service, are encouraged to bring this material (original documents or certified copies required) to the seminar. Attend-

ees should also bring along an additional copy of each item to leave with the RRB field personnel leading the seminars.

Those unable to attend the seminars but still seeking pre-retirement information should contact the RRB. Individual retirement counseling is available in person at an agency field office, or by phone by contacting the RRB toll-free at (877) 772-5772.

Dates and locations for the agency's fall schedule of Informational Conferences and Pre-Retirement Seminars will be released this summer. ©©

Officers complete Local Chairman Workshop in Cleveland

Approximately 20 Local Division officers were in Cleveland the week of March 23 for a Local Chairman Workshop hosted by the BLET Education and Training Department. Among other items, the workshop covered BLET organizational structure and functions, representation of members at disciplinary and decertification hearings, union leadership skills, claim and grievance handling, and writing and editing skills. A highlight of the workshop came when attendees participated in a simulated disciplinary hearing. The workshop concluded on March 27. Thank you to all Brothers and Sisters for your participation in this class! ©©



UPCOMING WORKSHOPS
Offered by the BLET Education and Training Department

Advanced Local Chairman Class,
Cleveland
August 30-
September 4, 2015

Secretary-Treasurer Class,
Cleveland
September 28-
October 1, 2015

Local Chairman Class,
Cleveland
October 11-16, 2015

Legislative Representative Class,
Washington, D.C.
October 25-29, 2015

For more information, please contact Jason Wright, Coordinator of the BLET Education & Training Dept., at (216) 296-444 or wright@ble-t.org; or visit: www.ble-t.org/departments/et/.

IN THE LINE OF DUTY

Alexander T. Sassman

Alexander T. Sassman, a member of BLET Division 692 (Tracy, Calif.), was killed in an on-duty motor vehicle accident near Fairfield, Calif., on March 16, 2015.

Brother Sassman, 51, was one of two railroad employees who were in the taxicab being transported from their train to their off-duty location when the accident occurred. According to media reports, the taxi was a 2006 Ford Crown Victoria that was traveling at an estimated speed of 60 to 65 mph northbound on I-680 just after 1 a.m. on March 16 when the driver lost control. The vehicle went airborne and overturned, rolling off the side of the highway and landing on a road that runs parallel to the freeway. Brother Sassman was pronounced dead at the scene. The cab's second passenger, a conductor, survived but suffered major injuries. The cab driver also survived. The



taxi was transporting the two Union Pacific employees from San Jose to Roseville.

Brother Sassman is survived by his wife, Destalee, and three sons: Chaim, 22, Liam, 17, and Jaze, 14. He hired out with the Union Pacific on June 12, 2004, and joined the Brotherhood effective February 1, 2006.

Brother Brian Carr, 1st Vice Chairman of the BLET's Union Pacific-Western Lines General Committee of Adjustment, reports that a benevolent fund to help the Sassman family during their time of need has been established through U.S. Bank. Donations can be made at a U.S. Bank branch in your area, or mailed to: U.S. Bank,

1080 N. Hills Blvd., Reno, NV 89506 (phone: (800) 872-2657). Checks should be made payable to "Sassman Family Memorial."

"This is a sad reminder of how fragile life really is, and it breaks the heart of all railroaders to learn of this tragedy," BLET National President Dennis R. Pierce said. "Locomotive engineers and trainmen face dangers not only while on their trains, but also while deadheading and on the way to and from work, as well. Destalee, Chaim, Liam and Jaze are in our thoughts and prayers. On behalf of all members of the Brotherhood of Locomotive Engineers and Trainmen, I extend our most heartfelt sympathies to the Sassman family."

In lieu of a funeral, the family organized a celebration of Brother Sassman's life. The memorial barbecue and safety feed was on March 31 in Roseville, Calif. ☹☹

Members affected by Anthem data breach

Highmark Blue Cross Blue Shield is advising the BLET National Division and its members of steps being taken in the aftermath of the Anthem data breach.

Members are advised that Highmark will send letters to its members that may have been impacted by this breach. This letter will advise members that they may have been impacted and that they will be receiving a letter from Anthem with more information.

Additionally, Anthem began sending letters to Highmark members on March 9. These letters advise members that they may be impacted by this breach and that identify theft protection and credit monitoring is available to them for two years. Due to the volume of this breach, these Anthem letters will be sent in order of priority and the amount of risk the member may be at, with highest risk members receiving letters first. Anthem will be sending over 1 million letters per day, which means that these letters from Anthem may take several months to complete.

Also, members should be aware of scam email campaigns targeting current and former Anthem members. These scams, designed to capture personal information (known as "phishing"), are made to appear as if they are from Anthem and the emails include a "click here" link for credit monitoring. These emails are NOT from Anthem.

- DO NOT click on any links in email.
- DO NOT reply to the email or reach out to the senders in any way.
- DO NOT supply any information on the website that may open if you have clicked on a link in email.
- DO NOT open any attachments that arrive with email.

Finally, Anthem is not calling members regarding the cyber attack and is not asking for credit card information or social security numbers over the phone.

Earlier this year, Anthem — a Blue Cross Blue Shield insurer with plans in multiple states — was the target of a sophisticated external cyber attack. These attackers gained unauthorized access to Anthem's IT system and obtained personal information on current and former members such as their names, birthdays, medical IDs, social security numbers, street addresses, email addresses and employment information, including income data. ☹☹

FOR MORE INFORMATION, OR IF YOU WOULD LIKE TO MONITOR THIS SITUATION, PLEASE VISIT THE YOUR TRACK TO HEALTH WEBSITE:
WWW.YOURTRACKTOHEALTH.COM.

Anthem began sending letters to Highmark members on March 9. These letters will advise members that they may be impacted by this breach and that identify theft protection and credit monitoring is available to them for two years.

Railroad unions advancing two-person crew legislation to protect safety

Continuing a cooperative effort to promote safety in the railroad industry, the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers International Association (SMART) have jointly announced that legislation requiring at least two crew members on all freight trains in the U.S. has been introduced in the 114th Congress.

The Safe Freight Act (H.R. 1763), introduced by Congressman Don Young (R-Alaska) on April 13, would require two crew members — one certified locomotive engineer and one certified conductor — on all freight trains. The newly-introduced legislation mirrors H.R. 3040, which had more than 80 co-sponsors last year prior to conclusion of the 113th Congress. H.R. 1763 has been referred to the House Committee on Transportation and Infrastructure.

H.R. 1763 would require that "no freight train or light engine used in connection with the movement of freight may be operated unless it has a crew consisting of at least 2 individuals, one of whom is certified under regulations promulgated by the Federal Railroad Administration as a locomotive engineer pursuant to section 20135, and the other of whom is certified under regulations promulgated by the Federal Railroad Administration as a conductor pursuant to section 20163."

The joint effort reflects heightened

"We will continue to work to protect contractual language to defend two-person crews, and it also is our goal to protect the safety of railroad workers and the general public by advocating for passage of H.R. 1763."

— President Dennis R. Pierce

concerns over crew size arising from the July 6, 2013 derailment of a Montreal, Maine & Atlantic (MM&A) oil train in Lac-Mégantic, Quebec, which killed 47 people and destroyed the center of the town. The MM&A train was crewed by a single person. Since that time, there has also been movement by major freight railroads to seek collective bargaining agreements to allow for widespread use of one-person train operations.

"The BLET continues to oppose and condemn single-person freight operations as adverse to worker and public safety," BLET National President Dennis R. Pierce said. "All parties involved must understand that as things stand today, there are only two ways to end one-person train operations: federal laws or regulations that outlaw this dangerous practice, or collectively bargained contract language that requires two crew members on every train. We will continue to work to protect contractual language to defend two-person crews, and it also is our goal to protect the safety of railroad workers and the general public by advocating for passage of H.R. 1763."

SMART Transportation Division President John Previsich said, "The SMART Transportation Division has always espoused that the safest rail oper-

ation is a two-person crew operation. With several major train derailments having occurred in the last few months, most notably the oil train derailment and explosion near Charleston, W.Va., in February, our lawmakers and the general public must understand that multi-person crews are essential to ensuring the safest rail operations possible in their communities. I would like to thank Cong. Don Young (R-Alaska) for his leadership on this critical rail safety issue. No one would permit an airliner to fly with just one pilot, even though it can fly itself. Trains, which cannot operate themselves, should be no different."

Congressman Young is serving his 22nd term as Alaska's only representative in the House and is a former Chairman of both the House Transportation and Infrastructure Committee (2001-2007) and the House Natural Resources Committee (1995-2001). ☹☹

A COPY OF THE BILL IS AVAILABLE FOR DOWNLOAD AS A PDF FROM THE BLET WEBSITE OR FROM CONGRESS.GOV:
WWW.BLE-T.ORG/PR/PDF/BILLS-114HR1763IH-YOUNG.PDF OR
WWW.CONGRESS.GOV/BILL/114TH-CONGRESS/HOUSE-BILL/1763

Culture of retaliation

Union Pacific Railroad disciplines locomotive engineer for reporting workplace injury, owes worker \$350K in damages. More than 200 whistleblower complaints against railroad since 2001

(Source: U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) press release, March 17, 2015)

For the third time since 2011, the Union Pacific Railroad has violated the Federal Railroad Safety Act at its yard in North Platte by disciplining employees who reported workplace injuries and sought medical attention, the U.S. Department of Labor's Occupational Safety and Health Administration has found. Since 2001, the company has faced more than 200 whistleblower complaints nationwide.

In the most recent case, OSHA investigators determined that Union Pacific disciplined a 35-year-employee after the locomotive freight engineer reported injuries sustained in a Dec. 22, 2013 collision and received medical attention. The company has been ordered to pay the engineer \$350,000 in punitive and compensatory damages and reasonable attorney's fees, remove disciplinary information from the employee's personnel record and provide information about whistleblower rights to all its employees. Prior to this incident, the employee had never been disciplined.

"It is disheartening that this employee, a loyal railroad worker for 35 years, faced disciplinary action because he sought needed medical attention for a work-related injury. Union Pacific's actions and the repeated complaints filed by their employees are indicative of a culture that doesn't show that same loyalty to their workers or concern for their safety," said Marcia P. Drumm, OSHA's regional administrator in Kansas City, Mo. "Whistleblower protections play an important role in keeping workplaces safe. It is not only illegal to discipline an employee for reporting an injury and seeking medical attention, it puts everyone at risk."

Any of the parties in this case can file an appeal with the department's Office of Administrative Law Judges.

Based in Omaha, Union Pacific Corporation is one of America's leading transportation companies. It has 47,000 employees and operates 8,000 locomotives over 32,000 route miles.

OSHA enforces the whistleblower provisions of the FRSA and 21 other statutes protecting employees who report violations of various airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, health care reform, nuclear, pipeline, worker safety, public transportation agency, railroad, maritime and securities laws.

Employers are prohibited from retaliating against employees who raise various protected concerns or provide protected information to the employer or to the government. Employees who believe that they have been retaliated against for engaging in protected conduct may file a complaint with the secretary of labor to request an investigation by OSHA's Whistleblower Protection Program. Detailed information on em-

ployee whistleblower rights, including fact sheets, is available at <http://www.whistleblowers.gov>.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <https://www.osha.gov/>. ©©

Editor's note: The U.S. Department of Labor does not release the names of employees involved in whistleblower complaints.



SARAH FEINBERG NAMED ACTING ADMINISTRATOR OF FRA

On January 12, Sarah Feinberg was named Acting Administrator of the Federal Railroad Administration (FRA) by U.S. Transportation Secretary Anthony Foxx. Immediately prior to her FRA appointment, Feinberg was serving as Chief of Staff at the U.S. Department of Transportation. She succeeds Joseph C. Szabo who was appointed and confirmed as the agency's 12th Administrator in 2009. Szabo stepped down as the agency's head last in early 2015. Feinberg becomes the second woman to lead the agency since its founding in 1966. ©©



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Photo of the Month: March/April



NEW NORFOLK SOUTHERN POWER: Assisting a unit train of West Virginia coal east toward their final export destination of Lam-berts Point, Va., brand new EMD SD70ACe's No. 1174 and No. 1175 serve as the Elkhorn pushers, eastbound on Norfolk Southern's former Norfolk & Western mainline in Roderfield, W.Va. on January 18, 2015. **Photo and caption:** courtesy Chase Gunnoe



Are you a photographer? The National Division's Public Relations Department, which produces the News-letter each month, has received numerous inquiries lately from BLET members volunteering to contribute their

images to the "Photo of the Month" section of the News-letter. If you'd like to submit a photo for consideration, you may call Editor John Bentley at (216) 241-2630, ext. 248, or you can email: Bentley@ble-t.org.

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 January 2015 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 super-vision 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; National bargaining, Washington, D.C.

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 Nego-tiations; Holiday; NYD negotiations, inward-facing camera mtgs., Phoenix, Ariz.; RSAC inward-facing camera mtgs., Washington, D.C.; NYD negotiations, Fort Worth, Texas; National bargaining, Washington, D.C.

NATIONAL SECRETARY-TREASURER STEPHEN J. BRUNO: General supervision of accounting department, records department, online services department, tax compliance department; Safety Task Force; PAC and FEC reports and filings; Implementation and training for BLET membership database; Pension, STD, 457 plan Trustee; Division, General Committee and SLB monthly Trustee reports; Meetings with vendors and financial institutions; Publications Committee, Passenger De-partment; National Bargaining committee; IBT Human Rights Commission; Vacation.

VICE PRESIDENT & NATIONAL LEGISLATIVE REPRESENTATIVE JOHN P. TOLMAN: Assigned to BLET Washington, DC office; General office duties, telephone and correspondence commu-nications; Coordinate content of NLO website; Weekly PAC committee and legislative mtgs.; Attended Transportation Research Board mtg. & reception, Washington, D.C.; Several mtgs. with Republican Congressmen to discuss BLET's 2015 legislative agenda and Congress's agenda, Washington, D.C.; Mtg. with Association of American Railroads regarding inward facing cameras, Washington, D.C.; Mtgs. w/ State Legislators in Massachusetts to get H.R. 3040 sponsored in the House and Senate, Mass.; Various meetings and functions with Representatives and Senators.

VICE PRESIDENT MARCUS J. RUEF: Vice Chairman, National Railroad Adjustment Board (NRAB); National Mediation Board (NMB) Arb. Adv. Forum; Department Head, BLET Arbitration Depart-ment; Assigned to Illinois Central, Wisconsin Central, Indiana Harbor Belt, Belt Railway of Chicago, Metra, GRR and IRR; Holiday; Assist GC Cundari, IHB, Chicago; Assist GC Reynolds w/ LMRC mtg., and assist GC Reynolds w/ Agreement codification project, WC, Green Bay; Assist GC Reynolds w/ mtg. prep. and w/ LMRC mtg., WC, Chicago; Assist GC Reynolds w/ rules cases, WC, Chicago; Assist GC Cundari w/ prep for IL RR negotiations; First Division docket review w/ Doug Davidson, NRAB, Chicago; Assist GC Semenek w/ arbitration prep, METRA, Chicago; General office duties.

VICE PRESIDENT MIKE TWOMBLY: Assigned to all Union Pacific GCAs (Eastern District, North-ern Region (former C&NW), Western Lines (Pacific Harbor Lines), Western Region (Portland & Western), Central Region, Southern Region; On duty at home office; General office duties, tele-phone, email, correspondence communications, etc.; All Union Pacific general committees inward

facing camera mtg., Scottsdale, Ariz.; UP-Southern Region GCA New York Dock, Article 1, Section 4 negotiations, Scottsdale, Ariz.; UP-Central Region, Article 40(F) negotiations, St. Louis, Mo.

VICE PRESIDENT GIL GORE: Assigned to all CSX; Grand Trunk Western; Union Pacific-Southern Region GCA special assignment; Dispute Resolution Committee (DRC) issues, CSXT; General office duties, paperwork, correspondence, emails, telephone calls, etc.; Holiday; BLET conference calls; Assisting GC Karakian, GTW, possible PLB; CSX earnings conference call w/ Union leaders; PLB 7681, assisting GC Lyons, Atlanta; CAPS attendance policy Q&A follow up conference call; TTR; Tallyrand Railroad contract negotiations.

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, Great Western; Texas Pacific; General office duties, telephone, email, cor-respondence communications, etc.; Meetings with Divisions 249, 703 and 776, w/ GC Holdcraft, Houston; Division 518 mtg. w/ GC Wilson, Seattle; Mtgs. w/ BNSF Labor Relations and GC Wilson, Billings, Mont., Pasco, Wash., and Seattle, Wash.; Local Chairman training w/ GC Holdcraft, Fort Worth; Steve Bratka memorial, Fort Worth.

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 South-ern, Iowa, Chicago & Eastern, Dakota, Minnesota & Eastern); Springfield Terminal (St. Lawrence & Atlantic, Delaware & Hudson), Cedar River, Louisville & Indiana, Huron & Eastern; General office duties, telephone, email, correspondence communications, etc.; CPRR & DM&E issues, assisting GC Semenek; KCS issues, assisting GC Parker; Mid South issues, assisting GC Craddock; Huron & Eastern agreement, GC Latrig; Springfield Terminal negotiations w/ GC Moore, Boston; Louisville & Indiana issues, GC Daily; I&M RR negotiations w/ GC Craddock, Springfield, Mo.; Springfield Terminal and D&H issues, assisting GC Moore; PLB 7084 w/ GC Rodriguez, Ft. Myers, Fla.

VICE PRESIDENT R.C. (RICK) GIBBONS: Assigned to: All Norfolk Southern General Commit-tees; Wheeling & Lake Erie; Chicago, Fort Wayne & Eastern; New York, Susquehanna & Western; New England Central; Connecticut Southern; Western New York & Pennsylvania; Indiana & Ohio; Ohio Central; RSAC/RSIA Fatigue Management Group; General office duties, telephone, email, correspondence communications; Holiday; WNY&P mediation w/ GC Ben Martin, Washington, D.C.; Tentative agreement mtgs. w/ GC Peck, Castlewood/Crewe, Va.; Tentative agreement mtgs. w/ GC Wallace, Stanford/Florence, Ky.; K.L. Jackson retirement party, North Kansas City, Mo.; Steve Bratka memorial service, Fort Worth, Texas; PLB 7663 and PLB 7238, GC Peck, Norfolk, Va.

VICE PRESIDENT JAMES P. LOUIS: Assigned Amtrak; Long Island Rail Road; New York & At-lantic; Metro North; New Jersey Transit; PATH; SEPTA; Metra; Union Railroad; National Division Department Head, Education & Training Dept.; National Division Department Head, Internal Organizing, Mobilizing & Strategic Planning Dept.; PATH negotiations, Legislative Representative class, Cleveland. Telephone calls, correspondence, email, general office duties, etc.

HEALTHCARE SWEEPSTAKES OFFERS CHANCE TO GET HEALTHY, WIN PRIZES

United Healthcare is offering a sweep-stakes campaign to eligible BLET members and covered dependents to raise aware-ness of its wellness coaching programs. Quarterly drawings include Visa gift cards ranging in value from \$25-\$500 (200 winners per quarter).

Railroaders receiving medical benefits through United Healthcare are eligible to enroll. Participation in the drawing requires members to enroll in one of the wellness coaching programs offered by United Healthcare and complete three calls with a wellness coach. Wellness coaching programs include: Healthy Weight, Quit Power, Stress Management, Exercise, Nutrition, Diabetes Lifestyle, and Heart Health.

The campaign will run through December 31, 2015, and members can sign up for more than one program to increase their chances of winning. Take advantage of United Healthcare wellness programs to see how a few lifestyle changes may make a difference in your health. Call Railroad HEALTHLINK at (866) 735-5685 to connect with a wellness coach and create a per-sonal wellness plan that works with your busy sched-ule, or visit myuhc.com for more information. @@



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YOUR HEALTH.**
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