The National Mediation Board (NMB) announced on February 29 that the panel appointed in early January has found in favor of the Brotherhood of Locomotive Engineers (BLE) on the question of establishing a single craft of “Train and Engine Service Employees.”

The NMB-appointed panel denies UTU application

BLE asked NMB to deny UTU ‘motion for reconsideration’

The National Mediation Board (NMB) announced on February 29 that the panel appointed in early January has found in favor of the Brotherhood of Locomotive Engineers (BLE) on the question of establishing a single craft of “Train and Engine Service Employees.”

BLE International President Edward Dubroski is-uturned the day before the NMB last July. The deadline for the February 29 ruling was set in an NMB decision issued on December 30th of last year.

BLE International President Edward Dubroski is-set the following statement upon learning of the NMB announcement: “I am both relieved and pleased that the panel saw through the UTU’s smoke and mirrors. We owe an enormous debt of gratitude to the team that put together an overwhelming case and made this victory possible: General Counsel Harold Ross; Special Counsel George Cohen and his people; our Interna-tional Division staff; the Union Pacific general chair-men; and Brother Mike Russell of Division S1, our most powerful witness. I also wish to thank the AFL-CIO for all the support they’ve given the BLE and for standing behind us throughout our struggle. But, most of all, we owe this victory to those Brothers and Sis-ters who stood by us and never gave up on the BLE during our many dark days over the past two years, especially those who made sacrifice to travel to Wash-ington last July and march in support of the BLE in 100+ degree heat.”

“Although this is a great victory, we still face a tough challenge ahead. In raising UTU dues $3.00 per month to create his ‘war chest’ for a ‘fight to the finish’ with the BLE, UTU President Little vowed that we will next face an A-card assault. The leadership of the UTU will go down in labor history wearing the mark of shame for serving as facilitator for the rail-road industry’s agenda and, with the help of our Brothers, Sisters and friends in the rest of the Ameri-can labor movement, we will ultimately prevail in this struggle.”

On March 3, the BLE declared “enough is enough” in asking the NMB to dismiss UTU’s “motion for re-consideration” in the case.

BLE cited section 17.0 of the National Mediation Board’s Representation Manual, which expressly states “Reconsideration may not be sought from the Board’s certification or dismissal.” In its February 29 adoption of the three-member arbitration panel’s ruling, NMB Chief of Staff Stephen E. Crable clearly dismissed the UTU application when he wrote, “File No. CR-6624 is converted to Case No. R-6735 and the Board hereby dismisses the application.”

In addition, BLE contends that the NMB gave up jurisdictional right to reconsider the UTU applica-tion when referring it to the three-member arbitra-tion panel for decision. “In these circumstances, given that the NMB has ceded in full its statutory authority to the Panel to resolve the dispute by decision and order, the NMB no longer has jurisdiction to review in any manner — including ‘reconsideration’ — the substance of the Panel’s resolution,” the BLE state-ment said. The BLE backed-up this contention by cit-ing several sources, including a U.S. Supreme Court decision.

The NMB had yet to render a decision at press time: The panel’s February 29 decision can be found on the BLE web site at: http://www.ble.org/nmb2.pdf; and http://www.ble.org/nmb1.pdf.

• BLE asks NMB to deny UTU ‘motion for reconsideration’

• BLE News Analysis: Where do we go from here?

We may have won the battle, but Little’s war isn’t over

On February 29, the day of the BLE’s victory before the National Mediation Board, UTU President Charles Little sent a letter to all UTU General Chair-men on the Union Pacific.

The letter was only four sentences long but the UTU mindset was evident: “The BLE should not take com fort in this ruling. The struggle has just begun.”

Little wrote.

We agree with you, Mr. Little, because we know it’s just a matter of time before UTU leaders launch another assault as part of their ongoing plot to destroy our Brotherhood. In other words, the BLE may have won a key battle, but Charlie Little’s war against us is not over.

The UTU is a desperate union. Its membership has fallen from 280,000 in 1968 to less than 80,000 active mem-bers today. In 1985, UTU shot itself in the foot when it signed the infamous “Halloween Agreement.” In effect, UTU leaders sealed the fate of their organization when they signed that deal. It created the pay differential between pre and post-85 workers, but, more detrimental to the UTU, forced some trainmen to take promotion to locomo-tive engineer.

At the time the agree-ment was signed, UTU lead-ers thought these trainmen would retain membership in the UTU and not join the BLE. They were wrong. Fif-teen years later, ranks of the BLE continue to swell with newly promoted engineers who formerly belonged to UTU, while on the other hand UTU withdraws from AFL-CIO

In pulling out of the AFL-CIO on March 15, the UTU took another step toward fulfilling President Charles Little’s cam-paign promises of last year and set the stage for future at tempts to destroy the Brother-hood of Locomotive Engineers. In an August 27, 1989, UTU news release, the UTU Presi-dent boasted that, “If we are not successful at the NMB, we will take on the BLE on the Union Pacific Railroad any-way... That’s going to be our first target. After that we’ll do a few carriers at a time.”

Taking these campaign promises into consideration, along with the facts that UTU lost the National Mediation Board decision of February 29 and pulled out of the AFL-CIO two weeks later, it can only be assumed that UTU’s next step will be an all-out attempt to destroy the BLE.

In addition, UTU claims it disaffiliated from the AFL-CIO to avoid discretionary financial sanctions adopted by the AFL-CIO Executive Council in Feb ruary. These sanctions apply to unions in violation of the “no raiding” clause, or Article XX, of the AFL-CIO constitution.

These sanctions would force the UTU to compensate the BLE for its expenses in pursuing the Article XX pro cess, its lost dues or other in come foregone, or its costs in

See Battle, Page 5

See Disaffiliation, Page 7
Below is a "Target List" of legislators who are not yet supporting H.R. 3091. BLE members are encouraged to make a call to their legislators by dialing the Capitol switchboard at (202) 225-3121.

Below is a list of the 185 co-sponsors of H.R. 3091. BLE members are encouraged to make a call to their legislators by endorsing this needed legislation.

Thank these legislators, the 185 co-sponsors of H.R. 3091.

Shimkus, John
Showes, Ronni
Skelton, Ike
Smith, Adam
Christopher H.
Skelton, Ike
Smith, Adam
Christopher H.
Skelton, Ike
Smith, Adam
Christopher H.
 propelled agreement for the last year.

President Dubroski acknowledged the efforts of Vice-President Jim McCoy in helping secure the job secu-
rity of BLE members, and thanked all chair-
men involved for their professionalism in
these difficult situations.

In exchange for BLE support of the proposed merger, the carriers have agreed to an historic package of pro-
tections detailed in the letter signed by the
first directors of the new company. With the unanimous sup-
port of the General Chairmen, BLE in-
...
Benefits under Railroad Retirement and Social Security

Employers and employees covered by the Railroad Retirement Act pay higher retirement taxes than those covered by Social Security Act, so that railroad retirement benefits remain substantially higher than social security benefits.

The following article shows the differences in railroad retirement and social security benefits payable at the close of the fiscal year ending Sept. 30, 1999, as a result of changes in age requirements and payroll taxes under the two systems. Railroad retirement benefit amounts reflect cases reduced for any dual benefit entitlement.

1. How do the average monthly railroad retirement and social security benefits paid to retired employees and spouses compare?

The average ageannuity being paid by the Railroad Retirement Board at the end of Fiscal Year 1999 to career retirees was $1,705 a month, and for all retired rail employees the average was $1,300. The average age retirement benefit being paid under social security was $767 a month. Spouse benefits averaged $515 a month under railroad retirement compared to $395 under social security.

The Railroad Retirement Act also provides supplemental railroad retirement annuities of between $231 and $313 a month, which are payable to employees who retire directly from the industry with 25 or more years of service.

2. Are the benefits awarded to retired retirees generally greater than the benefits payable to those who retired years ago?

Yes, because recent awards are based on higher average earnings. For career railroad employees retiring at the end of Fiscal Year 1999, regular annuity awards averaged about $2,200 a month. Reduced awards were awarded to workers retiring at age 65 under social security averaged about $1,000. If spouse benefits are added, the combined benefits payable to a worker and his or her spouse would average $1,377 a month under railroad retirement, compared to about $1,085 under social security.

3. How much are the disability benefits currently awarded?

The current law, the Railroad Retirement Act only provides children’s benefits if the employee is deceased. The Railroad Retirement Act does include a special minimum guaranty provision which ensures that railroad families will not receive less in monthly benefits than they would have if railroad earnings were covered by social security rather than railroad retirement laws. This guaranty is intended to cover situations in which one or more members of a family would otherwise be eligible for a type of social security benefit that is not provided under the Railroad Retirement Act.

4. What are the maximum amounts payable to recent retirees?

In 2000, the maximum (total monthly) benefit initially payable to an employee and spouse under the Railroad Retirement Act is $4,315. Under the Social Security Act the maximum monthly benefit payable to a worker is $2,322 and to his or her spouse, is $1,421.

However, such maximum benefits are payable to relatively few families, as very few employees consistently earn the maximum amount creditable each year throughout their careers.

5. Can railroad retirees retire at earlier ages than workers under social security?

Under current law, railroad employees with 30 or more years of service are eligible for regular annuities based on age and service at age 60. Certain railroad employees credits are also applied to such annuities awarded before age 62, but only to the portion of the annuity approximating a social security benefit, and no age reductions are applicable to such annuities awarded after age 62. Under social security, a worker cannot begin receiving retirement benefits based on age until age 62, regardless of how long he or she worked, and social security retirement benefits are reduced for retirement prior to full retirement age.

Rail employees with 10 to 29 years of credited service are eligible for regular annuities based on age and service at age 60. Early retirement annuities are applied to such annuities awarded before full retirement age, just as they are applied under social security. As under social security, the age at which full benefits are payable is increasing in gradual steps until it reaches age 67 in the year 2022. This affects people born in 1958 and later.

Reduced benefits will still be payable at age 62 but the maximum reduction for employees will be 30 percent, versus 20 percent under social security, by the end of 2022. However, the railroad retirement annuity reduction will be less if the employee had any railroad service before August 12, 1983. Also, these changes will not affect railroad employees who retire at age 62 with 30 years’ service.

6. Does social security offer any benefits that are not available under railroad retirement?

Social security does pay certain types of benefits that are not available under railroad retirement. For example, social security provides children’s benefits when an employee is disabled, retired or deceased. Under current law, the Railroad Retirement Act only provides children’s benefits if the employee is deceased.

The Railroad Retirement Act does include a special minimum guaranty provision which ensures that railroad families will not receive less in monthly benefits than they would have if railroad earnings were covered by social security rather than railroad retirement laws. This guaranty is intended to cover situations in which one or more members of a family would otherwise be eligible for a type of social security benefit that is not provided under the Railroad Retirement Act.

7. How much are monthly benefit survivors for railroad retirement and social security?

Survivor benefits are generally higher if payable by the Railroad rather than social security. At the end of Fiscal Year 1999, the average annuity being paid to all aged and disabled widow(er)s averaged $790 a month, compared to $745 under social security.

Benefits awarded by the Board at the end of Fiscal Year 1999 to aged and disabled widow(er)s of railroaders averaged about $292 a month, compared to about $1,365 under social security.

The annuities being paid at the end of Fiscal Year 1999 to widowed moth- er/fathers averaged $990 a month, compared to about $1,135 under social security. As under social security, a worker cannot begin receiving retirement benefits based on age until age 62, regardless of how long he or she worked, and social security retirement benefits are reduced for retirement prior to full retirement age.

The maximum amount of regular railroad retirement and social security lump-sum death benefit provisions differ.

Both the railroad retirement and social security systems provide a lump-sum death benefit. The railroad retirement lump-sum benefit is generally substantially higher than the amount payable under social security.

The social security lump-sum benefit may be payable regardless of whether monthly benefits are also due. Both railroad retirement and social security provide a lump-sum benefit of $250. However, if a railroad employee completed 10 years of service before 1975, the average railroad retirement lump-sum benefit payable is about $920.

The social security lump sum is generally only payable to the widow or widower living with the employee at the time of the employee’s death. If the employee retired after 1975, the lump sum may be paid to the funeral home or the payer of the funeral expenses.

The railroad retirement system also provides a supplemental lump-sum death benefit which insures that a railroad family receives at least as much in benefits as they would have if rail- road retirement was insured under railroad retirement coverage, compared to about $1,505 under social security.

8. How do railroad retirement and social security lump-sum death benefit provisions differ?

The Social Security Act the maximum lump-sum benefit payable under social security was about $767 a month. Also, these changes will not affect Railroad Retirement Act beneficiaries who are married to an employee covered by Social Security who died before 1975, and was not survived by a living-with widow or widower. The lump sum may be payable to the human resources or the payer of the funeral expenses.

The railroad retirement system also provides a supplemental lump-sum death benefit which insures that a railroad family receives at least as much in benefits as they would have if railroad retirement was insured under railroad retirement coverage.

9. How do railroad retirement and social security lump-sum death benefits compare?

The average Railroad Retirement Act lump-sum death benefit paid in 2000 was about $3,165, compared to about $1,505 under Social Security. Railroad Retirement Act lump-sum death benefits are generally higher if payable by the Railroad than social security.

The maximum social security lump-sum death benefit was about $1,505. At the end of Fiscal Year 1999, railroad lump-sum death benefits averaged about $3,120, compared to about $1,505 under Social Security.

Employees earning at an additional 1 percent of earnings through March 2000, will pay in railroad retirement taxes that an employee earning $76,200 can pay in 2000 are $8,607.60, compared to $5,829.30 for Medicare hospital insurance tax is $5,760. Also, these changes will not affect Railroad Retirement Act beneficiaries who are married to an employee covered by Social Security who died before 1975, and was not survived by a living-with widow or widower. The lump sum may be payable to the funeral home or the payer of the funeral expenses.

The railroad retirement system also provides a supplemental lump-sum death benefit which insures that a railroad family receives at least as much in benefits as they would have if railroad retirement was insured under railroad retirement coverage. The railroad retirement supplemental annuity program.

The Medicare hospital insurance tax is applied to all earnings. The Medicare hospital insurance tax is applied to all earnings. The Medicare hospital insurance tax is applied to all earnings. The Medicare hospital insurance tax is applied to all earnings.

The Medicare hospital insurance tax is applied to all earnings. The Medicare hospital insurance tax is applied to all earnings. The Medicare hospital insurance tax is applied to all earnings. The Medicare hospital insurance tax is applied to all earnings.
By an overwhelming 86 percent majority, locomotive engineers on the Norfolk Southern ratified a new contract that provides a 14.4 percent wage increase and dramatic improvements for post-85 engineers.

The final tally was 2,609 in favor of the deal and 422 against. The new contract now becomes effective Jan. 1, 2000, and engineers can expect retroactive pay to show up in their checks by mid-April to early May.

Highlights of the contract are as follows:

• Article VI, Section 20B of Article IV (providing for inferior deadheading payments to post-85 engineers) is eliminated, and all engineers will be covered by the deadheading rules currently in effect for pre-85 engineers.
• The special pay differential of $15/day and $0.25/mile, which is payable to all engineers on NS regardless of hiring date, will be rolled into the daily and overtime rates of pay on January 1, 2003.
• The current five-year wage progression, which begins at 70%, is replaced by a three-year progression, which begins at 85%, measured from date of hire; in addition, all engineers currently in the progression will have their percentage increased by 10%, up to 100%.
• Effective January 1, 2000, wage rates on NS will be increased by approximately 14.4 percent.
• In 2001, 2002 and 2003, engineers will be entitled to bonuses of up to 10% of the previous year’s wages, under the NS “Thoroughbred Performance Bonus” plan; in 2004 and subsequent years, engineers will be entitled to bonuses of up to 15% of the previous year’s wages, under the formula:

  \[ \text{Bonus} = \text{Previous Year's Salary} \times \frac{10}{100} \text{or} \frac{15}{100} \]

• The following issues were referred to the BLE’s National Wage Committee for handling with the National Carriers’ Committee: Health & Welfare; retiree; retirement and disability; meals and meal allowances; availability; paid leave days; off-track vehicle insurance; and detention time.

Two-person crew bill passes Wyoming House, Senate; now awaiting governor’s signature

A two-person crew bill was passed by the Wyoming House of Representatives on March 9, reports BLE Wyoming State Legislative Liaison chairman Kevin J. McCarthy.

The bill was passed by a 30-24 majority, having previously been approved by the Wyoming State Senate 25-5. The bill now needs the governor’s signature before it becomes effective Jan. 1, 2000, in the state of Wyoming.

The bill requires two railroad crew members to be present in the cab of the locomotive at all times. It also contains a sunset clause, meaning the legislation won’t be reviewed for five years.

Brether McCarthy reports that the bill was a cooperative effort on behalf of all operating employees as well as the BLE, noting that as the bill passed the Senate, the governor vetoed the bill. The bill received heavy opposition, however, from railroad carriers who argued that the two-person crew initiative was a collective bargaining issue that should not be handled by government.
UTU subject to tougher AFL-CIO sanctions

By a nearly unanimous voice vote, the AFL-CIO Executive Council passed a resolution on February 16 adopting a policy that would stiffen sanctions against affiliates found guilty of violating the "no raiding" prohibition contained in Article XX of the Federation's Constitution. The additional discretionary sanctions available against affiliates who are found guilty of raiding another affiliate include the following:

- denial to the non-complying affiliate of the right to participate in or receive services from any Executive Council committee, trade or industrial department, central labor body or AFL-CIO staff department;
- denial to the non-complying affiliate of the right to participate in or receive services from any other AFL-CIO program;
- denial to the non-complying affiliate of any protection under the provisions of the Federation’s Constitution or the policy determinations of the Executive Council or the AFL-CIO President;
- denial to the non-complying affiliate of any other benefit derived from AFL-CIO affiliation; and
- that the non-complying affiliate compensate any affiliate that is adversely affected by the violation for its expenses incurred in pursuing the Article XX process, its lost dues or other income foregone, or its costs incurred as a result of the violation. If the Non-Compliance Subcommittee is unable to determine such amount with precision it may estimate an amount in order to so compensate the adversely affected affiliate.

This new policy has caused the UTU to withdraw from the AFL-CIO (see page 1 article). The policy has been applied to all instances of ongoing non-compliance, so the UTU is subject to the imposition of these sanctions due to its refusal to comply with the June 21, 1999, order from AFL-CIO President John J. Sweeney to withdraw its application to the National Mediation Board in the Union Pacific case.

On a related note, the AFL-CIO once again lent its support to the BLE in its struggle to fend off UTU raiding attempts. In a February 11 letter (reproduced above), President Sweeney blasted UTU’s attempts to seek support from various AFL-CIO affiliates in its campaign against the BLE. President Sweeney notified Louisiana AFL-CIO President John "Red" Bourg that "no affiliate shall support or render assistance to" the UTU because of its non-compliance with Article XX of the AFL-CIO constitution.

"The AFL-CIO remains committed to resolving this ongoing dispute in a manner that protects BLE’s legitimate rights," Sweeney wrote. "Any action supportive of UTU’s non-compliant behavior would undermine that goal. Rather than maintaining ‘neutrality,’ AFL-CIO affiliates should make it clear that they oppose 111’s draining activities..."

Editor’s Note: The BLE-UTU conflict on the Union Pacific has not gone unnoticed. Railroad unions as far away as Ireland have kept close tabs on the outcome of our struggle. The following was e-mailed to BLE International Headquarters on March 1 from Kevin Connolly, the Safety Spokesman of the Irish Locomotive Drivers Association.

Dear Sirs:

I have just read the headlines in your latest News Flash (on the BLE website).

I would like to take this opportunity on behalf of all the members of the Irish Locomotive Drivers Association to extend our warmest congratulations to the BLE on your victory over the UTU’s attempt to establish a single craft of Train and Engine Service Employee. We always felt that this proposal was doomed to fail, and are delighted that it did. As you know, we believe that within Railroad Companies what one company can get away with, will be implemented by others the world over. So we see your victory in the U.S. as a victory for all Locomotive Drivers (Engineers). Once again, congratulations to all involved in this great victory.

Yours sincerely,

Kevin Connolly
Safety Spokesperson
Irish Locomotive Drivers Association

Eyes of Irish Locomotive Drivers are smiling on the BLE
Thank You, AFL-CIO

Thanks for standing behind the BLE!

The BLE’s success in fending off the UTU’s attempted raid is due largely in part to support from the AFL-CIO and its affiliates. The BLE wishes to thank all of Rail Labor, AFL-CIO Executive Vice-President Linda Chavez-Thompson, AFL-CIO Secretary-Treasurer Richard L. Trumka, AFL-CIO President John J. Sweeney, all AFL-CIO affiliates, and the Transportation Trades Department for their support.

Illustration by Geoffrey T. Schenkel · Journeyman Scenic Artist · International Brotherhood of Painters and Allied Trades, AFL-CIO, CLC · Local #93, Marietta, Ohio

What has your union done for you lately?

When the National Mediation Board denied the UTU’s application to combine railroad operating crafts and hold a representation election on the Union Pacific, it put into perspective the major fundamental differences between the BLE and UTU.

Securing these improvements and job protections for its members is a priority for the BLE. It’s what we do. And it’s a fundamental difference between our organization and the UTU.

The UTU has its priorities elsewhere. Documented proof of this can be found in the February 24 issue of the Omaha World-Herald. In an article titled, “U.S. railroads, unions start contract talks,” UTU International Spokesman David Eden said, “Right now, more than contract negotiations, (the UTU) is getting prepared for what (it) says may be an historic decision by the National Mediation Board.”

The key phrase is “more than contract negotiations.” That statement provides a crystal-clear picture of the fundamental difference between the BLE and UTU leadership.

“More than contract negotiations.” In other words, the UTU would rather spend its time running around trying to destroy the BLE than securing a good contract for its members.

Moreover, the UTU spokesman said, “It doesn’t benefit a railroad union to strike.” Really? How about asking the 8,000 members of a rail labor union who just went on strike in Laramie, Wyo., and saved their jobs at Union Pacific.

The Brotherhood of Maintenance of Way Employees just concluded a successful strike at UP (see page 9 article). A federal judge sent the strikers back to work, but he also issued a permanent injunction prohibiting UP from closing down a manufacturing plant that employed 37 BMWE members.

The strike saved their jobs. But according to the UTU, “It doesn’t benefit a railroad union to strike.” Maybe what the spokesman meant to say was, “It doesn’t benefit the railroad company for a railroad union to strike.” Either way, going on strike produced a major benefit for those 37 members of the BMWE.

We encourage all BLE members to share this article with their UTU co-workers. Tell them to ask Charles Little and Byron Boyd, “What have you done for me lately?” Their answer: “We’ve earned the unanimous condemnation of the AFL-CIO for pursuing a case that got worse with each passing month, we’ve left the AFL-CIO in shame, we’ve agreed to make cram down mandatory, we’re facilitating the use of remote control technology at the state level, and we finally figured out how to say ‘No’ to a proposed merger, even though the protections are better than any offered in over 20 years.”

Now ask the leadership of the BLE the same question. Their answer: “We’ve preserved the historical operating crafts on America’s Class I railroads, won an end to cram down, attrition job protection and 10 years of job security for our members on BNSF and CN if the two companies merge, scored a major victory for post-85 engineers on Norfolk Southern, and helped engineers on NS get a 14.4 percent raise.”

Not too bad. That’s something you can take to the bank, unlike the empty promises UTU leaders spent two years working on to provide to their members.

Disaffiliation

Continued from Page 1

curred as a result of the violation.

In this case, the BLE spent a substantial sum of money defending itself as a result of the UTU’s Jan. 12, 1998, application, which sought to combine all operating employees into a single craft and force representation elections.

“Pulling out of the AFL-CIO is detrimental to the rank-and-file members of the UTU,” BLE President Edward Dubroski said. “It is ironic that UTU leaders parrot their organization’s slogan, ‘progress through unity,’ yet they willfully withdrew from the AFL-CIO, the very organization that exists to promote unity and harmony among all of organized labor.”

Dubroski also pointed out the contrast between the long-standing UTU slogan, “progress through unity,” with its latest catch phrase, “the power of one.”

“On the one hand, they preach harmony and unity with other labor organizations, but on the other hand, they’re promoting a ‘power of one’ campaign,” Dubroski said. “I am of the belief that the power of many is much stronger than the ‘power of one.’ And now that’s what the UTU is — one union, outside the House of Labor.”

AFL-CIO President John Sweeney echoed Dubroski’s comments, and urged UTU leadership to reconsider.

“Working men and women nationwide clearly have a stronger voice when they are united,” Sweeney said. “The leadership of the (UTU) has attempted to
Part 3: ‘Reliance’ and ‘distraction’ effects in PTC automation

By T. B. Sheridan (MIT), F. G. Gamst (Univ. of Mass., Boston), and R. A. Harvey, BLE

White Paper, 11/29/99

Reliance level 1. The existing method of operation described above adds a system component that provides an audible warning in advance of a CSR. (For discussion purposes the train’s speed is not enforced by a system component to operate the locomotive.) The crew’s responsibility under the existing method of operation does not change in regard to the requirements for the CSR. The principal difference now becomes the LE’s choiceability to permit the PTC on-board components to control the train’s speed to comply with the CSR and what other information may be delivered to the LE from the on-board sub-system. That information may include distance to target or the civil speed directive. Assign a two for reliance in this case.

Reliance level 2. This system provides an audible warning in advance of the CSR and also meets the requirement of a PTC system in that the CSR will be enforced by a system component to operate the locomotive. The crew’s responsibility under the existing method of operation does not change in regard to the requirements for the CSR. The principal difference now becomes the LE’s choiceability to permit the PTC on-board components to control the train’s speed to comply with the CSR and what other information may be delivered to the LE from the on-board sub-system. That information may include distance to target or the civil speed directive. Assign a two for reliance in this case.

Reliance level 3. The same PTC system exists as above. A principal difference is there are no mandatory directives issued and/or there are no requirements for conversing among the crew members regarding the audible warning. That information may include distance to target or other form of advance warning. The automation is no longer reliable because of either the frequency of the transient faults or the safety-critical nature of the systems from which the faults originate. The failure of such automation should be announced with a clear and distinctly sound-coded alarm, in such a way as to permit the LE to immediately take control of the locomotive and its train in order to avoid collision with the CSR and for some time components. When transient faults occur, they should be recorded regarding their kind and time in the locomotive event recorder.

5. Training for PTC

There is general agreement that training needs increase with increasing automation, and PTC is no exception. Training must include not only some fundamental skill maintenance, but also new skill and dealing with emergencies, particularly those likely to occur if the automation fails. (Details of PTC training are not regarded as part of this white paper.)

The design of a training program requires a thorough task analysis, emphasizing not only what displays the operator must observe but also what information is required to be gained and understood, and not simply what controls to operate but also what variables are to be controlled both by the automation and by the personnel according to what criteria. This should yield critical insights for setting training objectives, writing a syllabus, and specifying a specific plan for student testing and program evaluation.

5.1. Classroom and written instruction

Training should include preliminary formal classroom instruction in the rules and practices for PTC. Merely posting bulletins or leaving a stack of govern rules for PTC in a crew member’s workroom will not do.

Written material should explain the overall characteristics of the particular on-property application of PTC, and the expectations for employees and contractors involved with this form of PTC operation. This should be augmented by classroom presentation, discussion and testing to provide feedback to the students.

5.2. Locomotive simulator instruction

Locomotive simulators have been found to be of great value to train and test the LE for some three decades. They have also been used to conduct experiments of the LE on safety related issues, test the ability of different braking systems, and as tools for the experimental training. Such simulators have some limited value for maintaining skill levels of the experienced LE. Their use, however, for initial training of persons who have never been at the controls of a moving train may improperly prepare them for the task of actual operation. Actual train movements provide an array of powerful stimuli that reinforce train handling assumptions for the LE. These stimuli tend to be learned over time, and have subtle distinctions meaningful only after developing a level of experience on a particular territory through repetition. Among these arrayed experiences are those tactile (providing a sensation by touch) and kinesthetic (providing a sensation of bodily movement, position, and tension). Both of these are necessary to provide feedback assurance to the LE that the choices made for handling the train are the right ones, including that they are in the correct temporal sequence, each choice further timed according to appropriate duration. This initial knowledge base, accordingly, must be developed with actual experience from handling a moving train.

The Type I simulator is known as “a full-motion simulator” provides a more realistic experiential simulation and operational feedback for the trainee. The simulator has a work setting of an actual locomotive cab mounted on a motion base of hydraulic actuators, with the degree of freedom simulated through hydraulic actuators. Sideways force cues are

(1) Functions in response to a person’s manipulation and causes the gauges associated with such controls to appropriately respond to the consequences of that manipulation.

(2) Pictorially, audibly and graphically illustrates the route to be taken;

(3) Audibly and graphically illustrates the consequences of control manipulations in terms of their effect on train speed, braking capacity, and in-track force levels throughout the train;

(4) Is computer enhanced so that it can be programmed for specific train consists and the known physical characteristics of the line illustrated.

A Type III Simulator means a replica of the control equipment found in the LE.

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(1) Functions in response to a person’s manipulation and causes the gauges associated with such controls to appropriately respond to the consequences of that manipulation.

(2) Pictorially, audibly and graphically illustrates the route to be taken;

(3) Audibly and graphically illustrates the consequences of control manipulations in terms of their effect on train speed, braking capacity, and in-track force levels throughout the train;

(4) Is computer enhanced so that it can be programmed for specific train consists and the known physical characteristics of the line illustrated.

BLE NEWS
Positive Train Control

Continued from Page 8

Positive Train Control (PTC) systems provide as the simulation lurches through track switch transitions. Lesser degrees of disorientation, either to the left or right or return, are experienced by the trainee when passing over various simulated track structures such as frogs and railroad crossings at grade. The cab realistically rolls and sways while simulating running over the track.

The sway, at right angles to a longitudinal axis, can be up to 5 degrees to each side and reproduces the side sway of a unit as it moves. Other motion is felt longitudinally when pulling trailing cars (by rearward shock forces, or blows, to the cab) and when the slack of trailing cars runs in against the locomotive (by forward shock forces to the cab). Longitudinal movement could similarly be prevented with training on a sophisticated simulator.

Problems of transitions of the LE from non-PTC to PTC operation, including failure scenarios, should be given to LE, C and train dispatcher personnel. This should be based on a thorough task analysis of PTC operation and potential to PTC failure.

7. REFERENCES


Is this you? Sleep apnea is a dangerous sleep disorder; you may have it but not be aware of it

**Sleep Apnea**

Sleep apnea includes those who snore loudly and also are overweight or have high blood pressure, or have a physical abnormality in the nose, throat or other parts of the upper airway:

- Ingestion of alcohol and sleeping pills increases the frequency and duration of breathing pauses in people with Sleep Apnea.
- The consequences of Sleep Apnea range from annoying to life-threatening. They include symptoms suggesting depression, irritability, sexual dysfunction, learning and memory difficulties and failing asleep while at work, on the phone or driving.

It has been estimated that up to 50% of Sleep Apnea patients have high blood pressure and have an increased risk of heart attack and stroke.

- Males with a neck size of 17 inches or greater and females with a neck size of 16 inches or greater are more likely to have Sleep Apnea because of the increase in tissue in the air passage.
- If you suspect that you have some of the symptoms of Sleep Apnea you are encouraged to see a doctor about your symptoms. But first, you need to check with your insurance carrier before making any appointment. You may be required to get a referral to a sleep specialist from your primary care physician. Evaluation and testing can be accomplished in a sleep center or in some cases in your own home. Don’t be discouraged if your primary care physician attempts to give you sleeping pills and send you home. If you believe you have the symptoms of Sleep Apnea that were outlined here insist on seeing a sleep specialist.
- You should feel free to ask any doctor about his or her credentials and experience. You should also be satisfied with the explanations of what sleep apnea is and how it is diagnosed and treated in your particular case.

Three avenues are available to the patient with Sleep Apnea:

1. Behavioral Therapy
   - avoid tobacco, alcohol and sleeping pills;
   - 10% weight loss may reduce the number of sleep apnea
   - some patients only have Sleep Apnea symptoms when they sleep on their backs.

2. Physical or Mechanical Therapy
   - nasal “continuous positive airway pressure” (CPAP) is the most common effective treatment ... the patient wears a soft mask over the nose during sleep;
   - dental appliances that reposition the lower jaw and the tongue have been helpful in keeping the air passage open.

3. Surgery
   - several procedures that need a medical explanation and evaluation.

You also should check with the Department of Transportation in your state about their position on Sleep Apnea. Some states are attempting to restrict driving privileges if an individual refuses to be treated once diagnosed with Sleep Apnea... a word to the wise.

If you feel you would like more information on Sleep Apnea you are encouraged to contact the three organizations whose information was used in this article.

**American Sleep Apnea Association**

1424 "K" St., N.W.
Suite 302
Washington, DC 20005
(202) 283-3560
www.sleepapnea.org

**National Sleep Foundation**

1522 "K" St., N.W.
Suite 510
Washington, DC 20005
www.sleepfoundation.org

Please don’t take Sleep Apnea lightly. Many persons who suffer the symptoms of Sleep Apnea have received treatment and in the majority of cases those persons will testify that their treatment has made a significant change in their life. Ask around and you’ll probably find someone who has Sleep Apnea, has been treated and will end up preaching to you about the benefits of getting medical attention... and your sleeping partner will thank you.

The National Sleep Foundation (NSF), a nonprofit organization that promotes public understanding of sleep and sleep disorders, is sponsoring “Wake Up Call 2000: National Sleep Awareness Week” from March 27-April 2. In addition, the American Sleep Apnea association is holding its second annual National Sleep Apnea Awareness Day on March 27.

As part of the week’s activities, NSF will host special sleep awareness activities on Capitol Hill to target staffers and members of Congress with important sleep education and information. These activities include a number of informational exhibits, such as an educational session on the dangers of sleep deprivation (presented by sleep expert William C. Dement, MD, PhD).

In addition, Dennis Holland, Ph.D., director of Alertness Management Programs at Union Pacific Railroad, will speak at the National Sleep Awareness Week press conference on March 28, and identify what can be done to address fatigue in the workplace.

NSF will also partner with USA Today to host a toll-free telephone hotline staffed with sleep experts. Callers can ask sleep-related questions. The hotline will be from 9 a.m. to 9 p.m. on March 28. The phone number will be printed in that day’s newspaper.

The morning of March 28, NSF will release its 2000 Sleep in America poll. This year’s poll promises to reveal interesting trends about sleepiness and productivity in the workplace, as well as drowsy driving statistics. The poll will be available on the NSF website at: www.sleepfoundation.org.

The American Sleep Apnea Association, a cooperative co-sponsor of National Sleep Awareness Week 2000, is planning a National Sleep Apnea Awareness Day during NSAW. For more information, visit their website at: www.sleepapnea.org.

Established in 1990, the National Sleep Foundation relies on corporate and individual donations, and partnerships with corporations and governments, to fund its many educational and research programs.
BMWE wins UP strike

The Brotherhood of Maintenance of Way Employees scored a major victory over the Union Pacific Railroad this month after successfully striking to prevent the railroad from closing a plant that employed dozens of BMWE workers.

A federal district court in Denver on March 2 enjoined the UP from closing its track panel plant in Laramie, Wyo., and from installing track panels made by outside contractors.

Finding UP’s threat to close the plant panel and use contractor-fabricated track panels to be a “major dispute” under the Railway Labor Act — a violation of the plain language of the BMWE/UP collective bargaining agreement — the Court granted the BMWE’s motion to enjoin UP from closing the plant and ordered that fabricating track panels must be done by BMWE-represented employees since it is clearly maintenance of way work, reserved exclusively for BMWE under the contract.

BMWE went to court after UP refused BMWE’s repeated demands to honor the contract and keep the plant open. A court temporarily restrained the strike just four hours after it began, but also restrained UP from closing the plant until a full hearing was held on March 2.

The strike effectively shut down train operations on the Union Pacific. The track panel assembly plant in Laramie, Wyo., manufactures track panels that are used in the construction and maintenance of railroad track.

“The Court’s decision to force UP to honor the clear language of Rule 9 of the contract is a major victory for our members and our union,” said David Tanner, a BMWE General Chairman. “It tells UP that it cannot simply change the collective bargaining agreement — do whatever it wants — while our members sit and wait forever for the results of some arbitration. Although strikes and walkouts are regrettable, UP left us no choice but to strike and sue.”

“I salute and thank our members for their courage and discipline in striking successfully and hope that UP learns its lesson. I also thank the other rail unions for honoring our picket lines.”

BMWE Vice President Rick Wehrli said, “BMWE will not stand by idly while UP or any railroad tramples on our membership. UP acted illegally against our members, and BMWE, after repeated efforts to convince UP to act in accordance with the law, legally struck and will do so again under similar circumstances.”

BMWE President Mac A. Fleming hailed the right to strike as a powerful tool for rail unions.

“I am delighted with the Court’s decision and I salute our membership and leadership on the UP for taking action to halt UP’s illegal attempt to shut down the Laramie, Wyoming plant,” the BMWE president said.

“Contracting out our work is a major problem facing us, and when any railroad decides to blatantly act against the clear language of our contracts after repeated requests to cease their illegal acts, BMWE will act in the best interests of our members.”

“I also thank the members and leaders of the other railroads for honoring our picket lines.”

On February 17, members of BMWE Division 239 (Knoxville, Tenn.) man ambulatory picket lines with members of Teamster Local 519 in a show of solidarity for their strike against Overnite Transportation, a subsidiary of Union Pacific. From left: Jerrald Limbaugh, BMWE Division 239 Legislative Representative, G.T. Wilkerson, Division 239 Vice-Local Chairman, Yard, Doug Ford, Division 239, Joey Bellamy, Division 239, Charles “Chuck” Davis, Division 239 Secretary-Treasurer, and Larry Trotterchaud, Secretary-Treasurer of Teamster Local 519. Picture courtesy of John Norman of BMWE Division 239.

In a show of solidarity, members of BMWE Division 239 (Knoxville, Tenn.) helped man ambulatory picket lines with members of Teamster Local 519 in their ongoing strike against Overnite Transportation.

Division 239 Local Chairman W. M. “Bill” Overton reports that ambulatory picket lines involve following the trucks as they leave the loading facility and while they are making deliveries, continuing to the front of drop off points. The Brothers of Division 239 participated in this form of picketing on February 17.

“As many of you know, Overnite is owned by the Union Pacific Railroad,” Brother Overton said. “This struggle is turning out to be a long one. I’m sure that the Local Teamsters in your area would appreciate hearing from local BLE Divisions. Remember, we all have problems, and we all need each other.”

BMWE support for the Teamsters, and vice versa, goes back several years. In 1886, delegates attended the International Convention in Detroit gave $20,000 to striking Teamsters and other union members in their struggle against the Detroit News/Free Press.

In July of 1999, Teamster Vice President John Stieger delivered a stirring speech at the BMWE’s “Save Our Craft” march and rally in Washington D.C.

Brother Overton expressed his gratitude to the members of Division 239, “and in particular to the men that worked the picket lines on February 17, for their support of not only their own union, but another union and its plight.”

The unfair labor practice strike against Overnite Company entered its 19th week in early March, making it the longest freight strike in recent history.

The workers have demonstrated an extraordinary resilience in the face of Overnite’s refusal to make a binding commitment to obey the law.

In February, Overnite settled another complaint against it for unlawful discharge of workers who participated in the unfair labor practice strike in July 1989.

Overnite had to solemnly promise, once again, to stop breaking the law. Overnite also had to solemnly promise not to condone threats of physical violence against union supporters, not to threaten to close terminals, not to tell workers that management would “lie” about ordering workers not to wear union buttons, and not to discharge workers who were exercising their federally protected rights. Overnite also has to reinstate four illegally discharged workers and pay them the earnings (plus interest) they lost due to the unlawful discharge.

On February 29, the NLRB dismissed Overnite’s charge that the Teamsters proposal for a mediator was “a good faith attempt to move negotiations forward after four years and 150-plus bargaining sessions failed to produce an agreement.”

Overnite posted a loss of $13 million in profits for the fourth quarter of 1999, which is down $29 million when compared to the $16 million in profits for the same quarter of 1998.
Engineers.
Brotherhood of exclusively by the events, offered first and only hotline repeated requests from the AFL-CIO to attempts to come back into compliance. By the AFL-CIO since July of 1999, addition, UTU has been under full sanc-
ctions by the AFL-CIO for more than two years. In UTU has been in non-compliance with of Article XX, and subsequent UTU

discontinued. After convincing UTU members to the AFL-CIO, UTU quietly returned to the AFL-

Engineers. The Brotherhood of Locomotive Engineers, in conjunction with the George Meany Center for Labor Studies, will be conducting six four-
day hazardous waste/chemical emergency response training programs at the Center's campus in Sil-
er Spring, MD. The training is scheduled for the following dates:

May 21-25, 2000
June 4-8, 2000
June 18-22, 2000
August 6-10, 2000
August 13-17, 2000
August 20-24, 2000

This training addresses the required procedures and different levels of response and worker protec-
tion in case of a hazardous materi-
als release. Training also includes advanced class instruction as well as intensive hands-on drills, in-
cluding a simulated hazmat re-
sponse in fully safe gear. Grant funds support transportation, lodging, and meals for all pro-
gram participants. In addition, par-
ticipants who are unable to receive pay through the railroad to attend training will be eligible for a stipend of $107 per day.

Space is limited to 25 for each program and participants will be selected on a first-come, first-served basis.

If you are interested, please con-
tact Betty Child of the BLE Washing-
ton Office at: (301) 347-7088, ext. 11; fax: (202) 547-5237; or e-mail: blc@aoa.com.

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