Rail Labor fights to save Amtrak jobs

House Committee votes on legislation that would provide funding for passenger rail

The House Transportation and Infrastructure Committee approved two bills on April 27, H.R. 1630 and H.R. 1631, that would provide funding for Amtrak and would improve high-speed passenger rail.

H.R. 1630, also known as the Amtrak Reauthorization Act of 2005, would authorize $82 billion in appropriations for the benefit of Amtrak for fiscal years 2006 through 2009. It was introduced by Representative Don Young of Alaska, Representative James Oberstar of Minnesota, Representative Steve LaTourette of Ohio and Representative Corrine Brown of Florida.

H.R. 1631, also known as the Rail Infrastructure Development and Expansion Act for the 21st Century (RIDE 21), establishes authority for states or inter-state compacts to issue $12 billion in federal tax- exempt bonds and $12 billion in federal tax-credit bonds for infrastructure improvements for high-speed rail. It was also introduced by Representatives Young, Oberstar, LaTourette and Brown.

“Chairman Don Young and the committee’s rank- ing Democrat, Jim Oberstar, turned away from all the sound and fury coming out of the White House and the Amtrak Board and instead acted in the best in- terests of a nation clamoring for better — not worse — rail transportation. Both the traveling public and rail workers owe them a debt of gratitude for their leadership on today’s votes,” said Ed Wytkind, President of the AFL-CIO’s Transportation Trades Department.

Last week the Amtrak Board of Directors — compr- ised exclusively of Bush campaign donors — turned on its own passengers and workers by echoing the White House call to break up Amtrak, privatize key routes, and pass along costs to cash-strapped states.

“The bills go a long way to saving the jobs of our members on Amtrak,” said BLET National President Don M. Hahs. “If Amtrak is forced into bank- ruptcy, our industry will suffer. The President’s pro- posal and the proposal by the Amtrak Board are un- acceptable to us, but these bills will provide the nec- essary financing to make our nation’s passenger rail network run.”

BLET members are urged to call their members of Congress and urge them to support this vital legis- lation. Up-to-the-minute information and copies of relevant documents can be found at the BLET Amtrak GCA’s website http://www.bletamtl.org.

Also, the BLET website http://www.ble-t.org will provide regular updates on the unfolding situation as Rail Labor continues its crusade to secure Amtrak funding and to preserve union jobs.

FRA Safety Advisory issued for reservoir tanks on some GE engines

Members cautioned as ‘catastrophic failures’ cited in four cases

The Brotherhood of Lo- comotive Engineers and Trainmen’s National Legis- lative Office in Washington, D.C., is warning its mem- bers of potential “catastrophic failures” in main air reservoir tanks of cer- tain General Electric loco- motives.

The Federal Railroad Administration (FRA) has also issued Safety Advisory 2005-02 to make the rail indu- stry aware of the situa- tion. Reservoir tanks hold compressed air used to charge the brakepipe of the train. Air is pumped to them until they reach a pressure of approximately 140 psi from the locomotive’s air compressor.

The defective reservoir tanks were manufactured by B&R Metal Fabricators, Inc., and installed in approximately 2,700 General Electric Trans- portation System (GETS) loco- motives. A total of 5,826 sus- pect main reservoir tanks were manufactured from 1988 to 1995. To date, four of them have failed catastrophically while in service. None of the failed res- ervoirs has resulted in any in- juries. Additional tanks have been removed over the years due to leakage through welded seams.

Members can identify sus- pect main reservoirs by look- ing for a nameplate attached to the skin of the tank. They are found at eye to chest level on both sides of freight and pas- senger locomotives. They range in size of four to six feet in length and approximately 12-18 inches in diameter.

The FRA announced Safety Advisory 2005-02 through a notice in the Fed- eral Register on April 20. General Electric has pro- vided the FRA with a list of the 2,700 locomotives that are equipped with the suspect tanks.

Raymond Holmes, BLET Vice-President & Na- tional Legislative Represen- tative, requests that all cor- respondence and questions regarding Safety Advisory 2005-02 be sent to his office for handling. Members should call (202) 024-8776 or e-mail: holmes@ble.org.


RCO claims another victim

UP switchman killed in second day on the job

A Union Pacific switchman was killed in a remote control switching accident in Riverdale, Utah, on April 11, underscoring the dangers of unregulated remote control train operations.

Early reports indicate that a lack of training may have contributed to the fatality, the latest in a string of serious re- mote control related accidents.

The victim in the accident — a 38-year-old switchman named Anthony L. Petersen — had eight months of total rail- road experience at the time of the accident. It was only his second day on the job at Riverdale when he was killed.

The Brotherhood of Loce- motive Engineers and Train- men has lobbied the Federal Railroad Administration for years to implement enforceable regulations to govern remote control train operations.

Throughout its lobbying, the BLET has pushed the FRA to increase the amount of train- ing that remote control opera- tors receive.

“Right now remote control operators only get two weeks of training,” BLET President Don Hahs said. “That’s not enough and sadly, Anthony L. Petersen paid the ultimate price for this lack of oversight.”

It is believed that the switchman, who was not wear- ing a belt-strap device, was riding on the side of a rail car when he fell and was run over. President Hahs said the lack of enforceable safety regu- lations may have contributed to the fatality.

“Had there been enforce- able regulations on the books that required adequate train- ing of remote control opera- tors, then this accident may not have happened,” President Hahs said. “It is a terrible trag- edy and our thoughts and prayers are with the victim’s family.”

Remote control operators normally receive only 90 hours of training — 40 hours of class- room training and 40 hours of

See Remote Control, Page 7
Will the real Paul Thompson please stand up!

Bringing to light many inconsistencies in recent messages from the UTU President

By Ed Rodziewicz
First Vice President
Brotherhood of Locomotive Engineers and Trainmen

The BLE has no interest or intention in continuing to respond to the UTU. The same old bad attitude, worn out issues that their leaders continue to bring up. However, on March 3, 2005, UTU International President Paul Thompson addressed to All Local Presidents, All Secretary-Treasurers and All Local Chairpersons on the Norfolk Southern concern contending that the BLE was not - local workers' compensation plans covering other private sector workers.

“Does Paul Thompson have a creative memory, an absence of memory or a memory void of truth? You decide!” — Ed Rodziewicz, BLE First Vice-President

Paul Thompson’s March 3 letter, it should be noted that several years ago the BLE was a member of spin doctoring, Frank Wilner, in its Public Relations Department. Prior to being hired by the UTU, Wilner was the Director Information and Public Affairs for the Association of American Railroads (AAR). In 1991, while working for AAR, Wilner made some interesting comments in publications regularly rail labor and the need for carriers to have more flexibility with their employees. Some of Wilner’s comments were:

“Not surprisingly, output measurements have soared. However, unforeseen increases in wages and fringe benefits to rail workers have dissipated much of the cost savings.”

“This handicap might be surmounted if we were not for restrictive union-imposed work rules that compel excess employ- ment and impede flexibility in assigning workers.”

“The railroad industry, where antiquated work rules and distorted levels of compensation are impeding efficiency, reform is urgent.”

“Existing restrictive work rules prevent railroads from using those remaining on the books more efficiently, which is essential if the railroad industry is to prosper during the 1990s.”

“Minimum crew size is an albatross for all major railroads. Generally, as many as four workers — most often three are assigned to each train, where formerly it was more than two — sometimes, one are necessary.”

“Carriers should have the flexibility to assign employees any work — regardless of craft or job assignment — for which they are properly trained so as to maximize utilization of worker skills, expedite freight movements, improve asset utilization and enrich customer service.”

“Equity and efficiency demand Congress move to merge railroad- ing into one US — local workers’ compensation plans covering other private sector workers.”

The BLE merely made an agreement eliminating firemen began with the UTU agreement, what result of the UTU’s demands, the Board only granted the UTU the right to implement seniority maintenance fees if the BLET implemented exclusive representation. The Board did not even address the other three issues raised by the UTU in its submission to the Board.

As far as the BLE agrees to work without firemen in 1964, the elimination of firemen began with the issuance of the infamous 282 Award. This award allowed carriers to operate some trains without firemen. The BLE merely made an agreement to compensate the engineer for the additional duties and responsibilities that would be required of the engi- neer when working without a fireman. This provision is very similar to the numerous provisions in UTU agreements that have eliminated brakemen positions, firemen positions, switchmen positions and flagman positions for additional compensation to the remaining train crew members.

The accusations by Paul Thomp- son concerning VIA Rail can be best answered by stating that this case is in the hands of the Canadian Indus- trial Relations Board (CIRB) with the final outcome yet to be determined. However, it is a complete fabrication by the UTU when they state that 230 conductors on VIA Rail will each receive $230,000. When BLE learns of the final outcome of this case, BLET membership will be immedi- ately informed.

The VIA Rail dispute began in 1997. In 2004, after the VIA Rail issue, 2,500 UTU members on Canadian Pacific chose Teamsters Canada Rail Conference as their representative over the UTU. The UTU/VIA Rail rhetoric was certainly not a factor in that representation election.

And while we are addressing issues involving Canadian operations, it should be noted that the Teamsters Canada Railway (QNSL) the UTU represents both engineers and trainmen. The QNSL operates through an agreement with the UTU. On November 7, 1996, the UTU signed an agreement with the QNSL that eliminated 13 percent of the trainmen. This agreement provided that engineers would assume all duties and responsibilities formerly performed by former trainmen. The implementation of this agree- ment caused approximately 49 employees to become surplus. These are the facts; yet, Paul Thompson tries to convince people that the UTU is the only union that will protect their jobs. May be or may not have “a super majority,” yet, Paul Thompson is the only union that will protect their jobs. May be or may not have “a super majority,” yet, Paul Thompson tried to convince people that the UTU is the only union that will protect their jobs.

The agreement on Montana Rail Link which Mr. Thompson refers to has resulted in most trains on MRL operating with three-person crews. Each crew must have a certified locomotive engineer. Where are the job losses you refer to on this prop-erty, Paul?

In previous articles and letters, UTU officers have stated that the UTU offered the BLE 50 percent of the remote control jobs. They do not tell the readers that this offer would have been “non-union” and was accepted by the UTU. Our membership expressed their desire on the issue of merging with the UTU — 70 percent voted against merging and 30 percent voted in favor of merging. The Letter of Intent dated September 29, 2001, which authorized the use of remote control, signed by the UTU and the carriers states, “Operation of remote control technology pursuant to this Letter with respect to assignments covered hereunder will be assigned to employees represented by the United Transportation Union.” Does that sound like the UTU was agreeable to giving the BLE 50 percent of the remote control work?

Another glaring problem for the UTU leadership appears to be its inconsistency. For example, in 1991 Paul Thompson and other UTU officers opposed exclusive representation. In fact, in a letter dated January 21, 1991, addressed to the UTU National Negotiating Committee (G.T. Dubose, J.M. Brunkenhoefer, L.W. Swert and C.L. Little) Paul Thompson refers to various issues and makes several allegations in connection with the representation of trainmen by various railroad unions. Where are the facts; yet, Paul Thompson tried to convince people that the UTU is the only union that will protect their jobs.

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The agreement on Montana Rail Link which Mr. Thompson refers to has resulted in most trains on MRL operating with three-person crews. Each crew must have a certified locomotive engineer. Where are the job losses you refer to on this property, Paul?
It will take Labor and management working together in good faith to eliminate problem

By Mark K. Ricci, Ph.D.
Chairman, Washington State Legislative Board, Brotherhood of Locomotive Engineers and Trainmen

The Brotherhood of Locomotive Engineers and Trainmen (BLT), the United Transportation Union (UTU) and representatives from all major railroads operating in the United States have joined forces to implement an integrated fatigue management plan for the entire rail industry. In the past, this Work/Rest Task Force actively employed the good faith efforts of many labor and management representatives. However, the efforts of the last decade did not produce the mitigation of fatigue necessary to foster a desired level of safe railroad operation and did not address the level of fatigue experienced by operating employees.

On Feb. 16, 2005, railroad officers and labor leaders issued a statement of principles designed to invigorate fatigue management efforts in the US using fatigue management plans. Much of the current work has built on the successes of labor and management in the late 1980’s with one major difference: the adoption of a concept of a “continuous improvement process.” In scientific terms, this means evaluating existing and new processes and collaborating (manage ment and labor) to design processes that improve fatigue mitigation and provide a safer railroad operation. In the words of Hugh Hark, “you can’t take the call, setting out the bad orders, and highballing again.”

Like you, I know that the brain is not ready to move until the brakes have been checked, the power is ready, and the signal is a high green. This is the same idea that is going to produce a workable fatigue management plan to mitigate unsafe levels of railroad worker fatigue.

The difference in the current attempt to address fatigue is the willingness to evaluate the effects of the fatigue mitigation efforts, get rid of what does not work, and try new strategies that have been shown to work in other locations. Evaluation is the key difference between the effort adopted on February 16, 2005, by labor and management and all previous attempts to address fatigue. Further, since evaluation must be integrated into the process from the very beginning, engineers do not need to wait five years to determine if this is going to be a success or a failure. Engineers are going to know within months if these strategies are “load ing or just clicking.”

Management and Labor working together in good faith will give individual railroad workers the ability to retain the greatest number of options available to address their individual experience of fatigue. Unfortunately, given the history of railroad worker fatigue, accidents investigated by the NTSB, and ongoing research, this is perhaps the last best hope for an industry inspired solution before a public call for action imposes a fatigue solution that may not be empathetic to railroad culture.

The U.S. Department of Transportation’s Inspector General issued a report in February ordering the Federal Railroad Administration (FRA) to overhaul the way it conducts its safety inspections. According to an article in the February 10 issue of the New York Times, the Inspector General ordered the FRA to overhaul its railroad safety inspection program because of “substantial and systemic safety problems” at Norfolk Southern, CSX, Union Pacific, and BNSF Railway.

According to the Wall Street Journal, the Inspector General’s report concluded that the FRA’s current railroad safety inspection program is too subjective, and that in the fall of 2005, the FRA will begin placing a greater emphasis on using safety, inspection and enforcement data to decide how and where to inspect. The report also concludes that if the FRA were to fine railroads more heavily, then it might help resolve safety deficiencies.

While BLT applauds the Inspector General’s investigation, we believe that the FRA will continue to give the nation’s railroads a free pass when it comes to the questionable practice of operating locomotives by remote control. The problem is the absence of enforceable regulations for remote control.

For example, FRA Safety Advisory 2001-01, which offers recommended guidelines for the operation of trains by remote control, prohibits remote control operators from riding on moving cars. But because this is just a recommendation, some railroads allow their employees to ride on cars while others don’t. Some remote control operators have been hurt — even killed — while riding on moving equipment, but there is no way the FRA can prohibit it without an enforceable regulation.

But because the railroads are not violating any Federal safety regulations by allowing remote control operators to ride on moving equipment, an accident or injury caused by such a maneuver would not be recorded as a violation.

The BLET’s ongoing opposition to remote control is based on the absence of federal regulations proscribing safety of design, inspection and testing requirements of remote control equipment. Since the equipment and the operations are not covered by regulations, the FRA would likely have no enforcement tools and, subsequently, no data to expose problems with on-board equipment or operator control units or transmitters.

When the FRA begins its new approach to safety investigations in the fall of this year, it will target railroads and operating practices based on statistical information. We can only hope the FRA will not overlook the hazards of remote control switching, in spite of its flawed data collection system.

Paul Thompson
Continued from Page 2

Thompson, whose signature is the first on this letter, and other UTU officers, chastised the Negotiating Committee members for not opposing exclusive representation. The letter states in pertinent part:

“There can be no explanation for your incompetence... Why don’t you do the only thing you could do as an apology to those engineers and the members of the UTU at a whole, RESIGN. You have proven you are not qualified to hold any office in the United Transportation Union.”

However, on November 1, 2004, Paul Thompson signed a Letter of Intent with the carriers that grants the UTU exclusive representation of trainmen and requires BLT members to pay maintenance fees to the UTU in order to maintain their seniority as a trainmen. He refuses to allow BLT members who are working as trainmen to be represented by their chosen representative — the BLT local chairmen. Paul Thompson insists that grievance and discipline matters involving employees working in train service be handled exclusively by UTU representatives.

Rumors persist that the NCCC granted the UTU exclusivity and seniority maintenance through the November 1, 2004 Letter of Intent (LOI) in exchange for the UTU agreeing to open national negotiations on the issue of a reduction in crew consist requirements. Allegedly, UTU leaders acted in a retromingent manner after the LOI was implemented by taking the position crew consist would have to be negotiated with the individual general committees rather than through national negotiations. Hence, the lawsuit filed by UTU in U.S. District Court for the Southern District of Illinois to “defend crew consist and FELA.”

If this rumor is not true, it would be very easy to put it to bed. Paul Thompson could request a letter from NCCC Chairman Robert Allen and the vice president of labor relations from the railroads represented by the NCCC, stating that this is not true.

By the way Paul, at the CRLA meetings in Federal Way this past May, the rail labor union presidents in attendance at the UTU would submit a proposal to the NCCC that would “eliminate frivolous FELA lawsuits.” The BLET believes there is already a system in place to determine if a FELA lawsuit is frivolous — it’s called the judicial process. Nonetheless Paul, why not share the “proposal” with all of rail labor.

In summary, the March 3, 2005 letter issued by Paul Thompson can only be described as artful rhetoric. In fact, the subject which led to his letter — a possible A-card drive on Norfolk Southern rhetoric — has arisen at the request of UTU represented employees on that property.

Does Paul Thompson have a creative memory, an absence of memory or a memory void of truth? You decide! •

DOT report blasts FRA on safety enforcement, inspections

But will railroads continue to receive a free pass when it comes to remote control operations?
Fund established to help son of BLET member

Jonathan Miller has suffered for years after injury in Marine Corps after 9-11

One month after September 11, 2001, 20-year-old Jonathan Miller was in the United States Marine Corps. The son of a BLET member, Jonathan was training to help defend his country. But in October of 2001, he stopped to help a fellow recruit pick up his gear. Little did he know that that simple act of kindness would have a profound impact on his health and could possibly lead to paralysis.

As Jonathan picked up the gear, he felt a sharp pain in his neck that shot all the way down to his lower back. At first, his military superiors simply told him to “drink more water.” But as many BLET members know, a neck and back injury should never be taken lightly.

Jonathan progressed through the Corps in spite of the pain, but as his back injury became worse and worse, he was reassigned to a medical rehab platoon where he received medical, sports medicine and physical therapy treatment from the Navy.

But due to the severity of the injury and his lack of improvement, he was given an honorable discharge in Sept. 2002.

Upon discharge, Jonathan was in-structed to seek medical treatment through the Veterans Administration (VA). What followed was nearly three full years of getting the run-around, misdiagnoses, and the deterioration of his health.

“I don’t have to tell too many people the VA system is grossly mismanaged,” said Brother James Kinsman, chair-man of the BLET’s Wisconsin State Legislative Board. He is friends with Jonathan Miller as well as his father, Tommy Miller; the BLET’s Director of Organizing.

Jonathan has been unable to find a decent job because of his injury, and he does not qualify for his father’s medical plan through the railroad. However, Brother Miller has used money from his own pocket to pay for his son to see ci-vilians as well as specialists in back and neck injuries.

Brother Kinsman has stepped in to create a fund for Jonathan to help with his mounting medical bills.

“Tommy Miller is a proud man who doesn’t like asking for help,” Brother Kinsman said. “He hates for this to happen, but a Brother shouldn’t go bankrupt taking care of his kids.”

His civilian doctors have confirmed at least one herniated disk in addition to the deterioration of other disks. The doctors are recommending immediate treatment, therapy and medication for Jonathan. However, the VA is balking at the diagnosis and has come up with its own treatment plan.

“The VA continues to ignore and neglect my case even after vast amounts of medical evidence have been presented,” Jonathan Miller wrote. “They continue to ignore this even after a re-evaluation has been requested.

“Example one of their negligence is mailing harmful psychotropic drugs to me such as Amitripytine, which is used for the treatment of degeneration. I have never complained of such symptoms and I feel it is dangerous to treat my physical injuries with unrelated medications. I am not depressed, but I am in danger of paralysis.”

Brother Kinsman is hoping BLET members, as well as our Teamster Brothers and Sisters, will support the Miller family as they seek proper treat-ment for Jonathan.

“The pain has long been unmanageable and my need is not to manage pain, so much as to immediately repair the injury,” Jonathan said. “The VA has refused to fill prescriptions given by my civilian doctor. As a result, to obtain proper prescriptions when financial means are available, I have had to pay out of pocket, and suffer when I have not had the means to fill the prescriptions.”

Brother Kinsman has established a fund for those willing to help Jonathan and the Miller family. Dona-tions may be sent to:

Jonathan Miller Relief Fund
Northwest Georgia Bank
5063 Alabama Highway
Ringgold, GA 30736

Annual Western General Chairmen’s meeting concludes

The annual BLET Western General Chairmen’s Association’s meeting concluded in Las Vegas on April 6.

The annual meeting is designed for the general sharing of information and planning the future direction of the Brotherhood. Its members are the Gen-eral Chairmen who represent railroads in the western United States, but Gen-eral Chairmen from eastern railroads and officers of the BLET National Divi-sion are often invited to participate.

The BLET Executive Committee represented the BLET at this year’s WCGA meeting, including National President Don Hahs, First Vice-President Ed Rodziewicz, and Na-tional Secretary-Treasurer Bill Walpert.

Brother Dennis Pierce, General Chairman from the Burlington North-ern-Santa Fe/MRL, is the Chairman of the Western General Chairmen’s As-so-ciation.

President Hahs led a roundtable discussion on the Brotherhood’s par-ticipation in the Rail Labor Bargaining Coalition (ELBCC). President Hahs dis-cussed the general makeup of RLBC, which consists of six other unions and the IBT, and the ongoing negotiating process.

President Hahs also discussed the uncertainty regarding Amtrak funding and emphasized the need for a strong source of funding for the national pas-senger railroad. “We need to end the yearly budget crisis that plagues Amtrak,” he said. “Our nation needs not only transportation to be on solid foot-ing.”

The General Chairmen also heard a presentation from John Murphy, Di-rector of Teamsters’ Rail Conference.

He generally described the Procedure by which General Committees would elect delegates to the upcoming 2006 IBT Convention.

Cheryl Johnson, special assistant to General President Jim Hoffa brought greetings from the General President and gave an overview of the services and staff available to BLET members (i.e. communications, research, educa-tion, organizing) as part of the merger. “We welcome our rail members and in-vite you to attend our meetings, espe-cially our upcoming Unity Conference in Las Vegas May 8-9,” Johnson said.

Also as part of the meeting, West-ern General Chairmen’s Association of-fered a 30-year anniversary. Pierce was re-elected as Chairman of the Association, General Chairman Gil Gure (UP Southern Region) was re-elected as Vice-Chairman and General Chairman Mike Priester (CP/Soo Line) was re-elected as Secretary Treasurer.

Following the meeting, Brother Pierce reported that the Association discussed many serious issues con-fronting BLET while they were con-vened and that those discussions were conducted in a manner that allowed all General Chairmen present to partici-pate in direct and candid conversations with the officers of the National Divi-sion and the officers representing IBT. “While the items we discussed were certainly serious, our open and honest discussions provided the kind of fellow-ship that can only strengthen BLET as we move ahead,” Chairman Pierce said. “I am friends with all of the officers and staff of the National Division and IBT that were able to attend and join in the meeting.”

BLET mourns loss of dedicated member, Division 404’s Ted Myhre

The Brotherhood of Locomotive En-gineers and Trainmen lost one of its own in December when Brother Theodore “Ted” Myhre Sr., a retired member of BLET Division 404 (Chi-cago), died while performing his duties as a volunteer fireman for the Bishop Mynette, March 26, 2002. In Galva, Ill. The funeral was held the following day at Holy Cross Church.

Brother Myhre joined the BLE on July 1, 1967. He worked as a locomotive engineer for the Chicago & North-western Railroad for 30 years and re-tired in 1995. During his time with the railroad, he served as an engineer trainer who helped many trainees on the road to becoming locomotive engi-neers, including BLET Vice-President Rick Radek. He also served for a few years as a Road Foreman at Altoona, Wisconsin.

“Ted always took pride in his craft, and he was always a patient instructor and mentor to the young engineers as-signing to him,” said Vice-President Radek. “Whether it was the railroad, his church, the civil air patrol or, after his retirement, the volunteer fire de-partment, Ted was most about helping others. He will sincerely be missed.”

He had been a volunteer fireman for about five years when he was killed in December: Brother Myhre and his fire company responded to an auto ac-cident, and were then told that they were not needed. However, Brother Myhre got out of the fire truck to help direct traffic and was struck by a passing motorist.

“He loved retirement and keeping busy,” wrote his wife, Lynne, in a letter to Vice-President Radek. “He absolutely loved being on call when we needed him in Bishop Hill. One reason is that he got to drive the big pumper truck and he certainly knew a lot about being called out all hours.”

About 40 of his fellow firefighters from various departments turned out to honor Brother Myhre at his funeral in Galva, Ill. The funeral was held the day before Christmas, but the firefighters braved the five degree weather to honor Brother Myhre.

“He was a good member, very ac- tive in the community, a very nice fel-low and was always on the go,” said Bishop Hill Fire Chief Jack Hawkins.

Brother Myhre served in the Iowa National Guard during the Korean War. He was a member of the Bishop Hill Heritage Association, serving on its board and as its treasurer, and he was also active with the Galva Arts Coun-cil.

Brother Myhre is survived by his wife, Lynne; three sons, David, Michael and Theodore Jr.; two step-children, Deborah Boyle and John Van Arsdall; six grandchildren and two step-grand-children.
The BLET’s Education & Training Department recently completed a series of educational workshops throughout the United States to demonstrate the Brotherhood’s new dues reporting system for Secretary-Treasurers.

Changes to the reporting system became necessary following implementation of the BLET’s new constitution after its merger with the International Brotherhood of Teamsters.

It is now one of the most sophisticated and advanced reporting systems used by a labor union today. Gone are the days of tedious paperwork and hardcopy files. The new system is completely Internet-based. Money is transferred electronically and instantaneously from one bank account to another.

Dozens of Secretary-Treasurers attending the intensive workshops gained firsthand experience using the new software. The workshops were conducted by Bill Walpert, BLET National Secretary-Treasurer; Dr. Elaine Reese, Director of the BLET’s Office of Tax Compliance; Bob Broka, BLET Director of Online Services and Webmaster; and Ken Kroeger, Coordinator of the BLET’s Education & Training Department.

More information on the new ST filing system will appear in the next issue of the Locomotive Engineers & Trainmen Journal.

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**SAN FRANCISCO**

Seated, from left: Bob Broka, Director Records Department; Ken Kroeger, Coordinator of Education and Training; Jeff Vogt, ST, Div. 98 and Nebraska SLB; Kevin Van Linden, ST, Division 683.

Standing, from left: Richard Conner, ST, Div. 74; Ralph Schaff, ST, Div. 1; Bob Broka, Director Records Department; Walt Schmidt, Director of Online Services and Webmaster; James Alcorn, ST, Div. 270; Jim Gibson, ST, Div. 520; Mark Webb, ST, Div. 391; Caroline Kaser, ST, Div. 474; Jack Huddleston Jr., ST, Div. 602; Gary Zaharchak, ST, Div. 757; Dr. Elaine Reese, Director, Office of Tax Compliance; Aaron Lindner, Alternate ST, Div. 682; Gary Myers, ST, Div. 301; Forrest Kirkman, ST, Div. 850; Curtis Hockman, ST, Div. 266; Rachel Everton, ST, Div. 13; and Bill Bowen, ST, Div. 343.

Standing, from left: John Bove, ST, Div. 269; Tom Brewer, ST, Div. 103; Daniel Siranors, ST, Div. 142; Ian Lydic, ST, Div. 624; Walt Schmidt, BLET Webmaster/Director of Online Services; Greg Sherry, ST, Div. 488; Cary Carroll ST, Div. 117; Edwin Hernandez, Alternate ST, Div. 501; Eric Echert, ST, Div. 160; Bob Broka, Director Records Department; Dr. Elaine Reese, Director, Office of Tax Compliance; James Thompson, ST, GCA and Div. 115; Chris Lamm, Alternate ST, Div. 430; Tom Beardslee, ST, Div. 415 and Nevada SLB; Stan Porch, ST, Div. 446; Michael Conner, ST, Div. 692; Richard Hess, ST, Div. 5; Michael Mulkeen, ST, Div. 71; Jeffrey Valentine, ST, Div. 124; David Davenport, ST, Div. 309; Walt Schmidt, Webmaster/Director of Online Services; Jose Rivas, ST, Div. 214; Bob Broka, Director Records Department; Dave Ditzel, Special Representative; and William Byrd, ST, Div. 398.
How other pensions impact Railroad Retirement

Railroad Retirement Act employer annuities are subject to dual benefit reductions when social security benefits are also payable; and, they may be subject to reduction when certain public, non-profit or foreign pensions are in effect. Railroad retirement benefits are also due a retired employee.

The following questions and answers describe how railroad retirement annuities are affected when retired railroad employees are also entitled to pensions from employers not covered by railroad retirement or social security.

1. When was the noncovered service pension reduction in employee annuities legislated and how did it come about?

The noncovered service pension reduction in railroad retirement benefits was introduced by 1983 social security legislation which also applied to the tier I benefits of railroad retirement employees.

Social security and railroad retirement are offset from tier I benefits when the employee, in addition to their railroad retirement and/or social security, such as from a non-profit organization or from a foreign government or a foreign employer. It includes both periodic payments, as well as lump-sum payments made in lieu of periodic payments. It does not include military service pensions, payments by the Department of Veterans Affairs, or certain benefits payable by a foreign government as a result of a totalization agreement between that government and the United States.

2. How is the noncovered service pension reduction in employee annuities to be applied?

The noncovered service pension reduction in employee annuities is required in a railroad retirement employee annuity, how would it be applied?

Unlike the dual benefit offset for social security entitlement applied by the Social Security Administration, the offset for railroad retirement is 50 percent. The dual benefit offset for railroad retirement is 50 percent of the tier I railroad retirement benefit, an alternate factor is used in the tier I benefit computation of annuities with such pensions.

A tier I benefit is calculated in the same way as a social security benefit. In computing a tier I benefit, an employee’s creditable earnings are adjusted to take into account the changes in wage levels over a worker’s lifetime. This procedure called indexing, increases creditable earnings from past years to reflect average national wage levels at the time of the employee’s retirement. The adjusted earnings are used to calculate the employee’s “average indexed monthly earnings” and a formula is applied to determine the gross tier I amount.

This benefit formula has three levels. Each level of earnings is multiplied by a specified percentage. The first level of earnings is multiplied by 90 percent, the second level is 70 percent, and the final level by 55 percent. The results are added to obtain the basic benefit rate. For those first eligible in 2005, the gross tier I benefit is equal to 90 percent of the first $827 of average indexed monthly earnings, plus 70 percent of the amount of those earnings over $827 up to $3,779, plus 5 percent of those earnings in excess of $3,779.

Beginning with 1986, a reduction in the 90 percent factor was phased in, for employees subject to the noncovered service pension reduction and who became eligible in 1990 or later, the 90 percent factor is reduced to as low as 40 percent. For example, an employee born in 1943 is eligible for a noncovered service pension and has 20 years of railroad service. Her railroad retirement annuity begins with the first full month she is age 62 and her average indexed monthly earnings are $1,800. She would receive, after the reduction for early retirement, a tier I benefit of $4,527 rather than the $708.17 otherwise payable.

However, for employees with relatively low noncovered service pensions, there is a guaranteed minimum tier I reduction of 50 percent. The reduction in tier I cannot be more than 50 percent of the pension.

3. Are there any provisions exempting retired railroad employees who also receive noncovered service pensions from this reduction?

Railroad retirement employee annuitants also receiving a noncovered service pension who attained age 62 before 1990, or who became entitled to a railroad retirement disability annuity before 1986 and remained entitled to it in any of the 12 months before attaining age 62 (even if the employee attained age 62 after 1986) are not affected by the noncovered service pension reduction.

Railroad retirement employee annuitants who received, or were eligible to receive, their noncovered service pensions before 1986 would not be affected. They are considered eligible if they met the requirements of the pension plan before January 1, 1986, even if they stopped work.

The reduction also does not apply to:

• Federal workers hired after December 31, 1983;
• Persons employed on December 31, 1983, by a nonprofit organization that was exempt from social security and became mandatorily covered under social security on that date;
• Railroad employees whose pensions are based entirely on noncovered employment before 1987, and
• Railroad employees eligible for a noncovered service pension who have 30 or more years of “substantial railroad retirement and/or social security earnings.” They are generally exempt from the reduction. Also, employees with 21 to 29 years of substantial earnings may be subject to a lesser reduction. In such cases, the 90 percent factor is reduced in increments of 5 percent, providing factors ranging from 65 percent for employees with 29 years of substantial earnings to 45 percent for those with 21 years.

5. What is considered a year of “substantial earnings” for purposes of exempting a person from the reduction for a noncovered service pension?

A year of “substantial earnings” is not the same as a year of service. For example, 1951-78, the amount of earnings needed for workers was 25 percent of the annual social security maximum creditable earnings bases in effect for those years. For years after 1978, the required was 30 percent. The maximum earnings bases would have been if the 1977 social security amendments had not been enacted. For example, in 1973, earnings of $3,525 would be considered a year of substantial earnings; in 1985, earnings of $7,425 would be needed; in 1990, earnings of $11,225, and in 2008, earnings of $14,725.

6. Are any reductions made in railroad retirement spouse or widow(er)’s benefits if a public service pension is also payable?

Yes. The tier I portion of a spouse or widow(er)’s annuity may also be reduced when a spouse or widow(er) is entitled to or his own earnings. The reduction generally does not apply if the employment on which the public pension is based was covered under the Social Security Act throughout the last 60 months of public employment. (This 60-month requirement is being phased in over a 5-year period ending March 1, 2009, and there are some exceptions.) Most military service pensions and payments from the Department of Veterans Affairs will not cause a reduction. For spouses and widow(er)s subject to the public pension reduction, the tier I reduction is equal to 2/3 of the amount of the public pension.

7. Where can more specific information on how noncovered pensions affect railroad retirement benefits be obtained?

Smyrna. Information, individuals who may be affected should contact the nearest office of the Railroad Retirement Board.

2005 Railroad Retirement Board Informational Conferences

The U.S. Railroad Retirement Board will offer free informational conferences for elected officers of all rail labor unions throughout 2005.

Registration for all informational conferences begins at 8 a.m. The programs begin promptly at 9:30 a.m. The programs begin promptly at 9:30 a.m. and end at 12:30 p.m.

May 13 • Smyrna, Ga. Radisson Hotel 3333 Quebec St.

May 15 • Denver, Colo. Denver Stapleton Plaza 20516 S. Harlem Ave.

May 20 • Billings, Mont. Billings Hotel and Convention Center 1223 Mullanway Lane

May 20 • Kings Island, Ohio Holiday Inn Express, Kings Island The Conference Center, 5389 Kings Mills Rd.

June 3 • Fargo, N.D. Ramada Plaza Suites 1653 42 Street SW

June 9 • Tinley Park, Ill. Holiday Inn Select, Tinley Park Convention Ctr.

June 10 • Wichita, Kan. Holiday Inn Select, 548 South Rock Rd.

June 16 • Indianapolis, Ind. Holiday Inn Southeast 5220 Victory Drive 1465 & Emerson Ave.

September 16 • Ft. Worth, Texas Holiday Inn South 100 East Alta Mesa Blvd.

September 16 • Pineville, N.C. Holiday Inn Express 9825 Leitner Dr.
The governor of Montana has signed a bill renaming a portion of Montana Highway 3 east of Helena after former State Representative and BLET Member Patrick Galvin.

Brother Galvin, who died on April 12 from Federal holidays.

Chuck Yenni, former Ohio State Legislative Board Chairman, 1924-2005

Chuck was a member of the National Association of Retired & Veteran Railroad Employees (NARVRE) and a National Association of Retired & Veteran Railway Employees (NARVRE) and to safety.

Remote Control

The April 11 fatality is at least the second serious remote control accident in the United States this year. On January 22, a remote control locomotive struck a CSX employee in the Waycross Hump Yard in Waycross, Ga., resulting in the amputation of the right leg just above the knee. Six victims of Class 1 remote control include operations: Jody Allen and John T. Smith, who died in a remote control accident on Dec. 7, 2003, at a Union Pacific yard in San Antonio, Texas; John W. Sneddon, who died in a remote control accident at a CSX yard on Feb. 16, 2003, near Syracuses, N.Y.; and Glen A. “Skip” York, who died in a remote control switching accident on Sept. 2, 2004, at a Burlington Northern Santa Fe yard in Clovis, N.M. In their zeal to implement the remote control technology, it appears rail carriers and the union representing remote control operators failed to make safety their top priority and did not take adequate plans to secure train workers in handling heavy moving equipment.

BLET NEWS

Montana highway named in honor of late BLET member

BLET gets tentative pact at CN/IC

Members of the Brotherhood of Locomotive Engineers and Trainmen who work on CN’s former Illinois Central properties will vote on a tentative contract proposal on May 23.

The tentative agreement, announced on April 12, provides for more flexible work rules and an hourly wage structure. Specific details of the agreement are being withheld pending ratification.

The BLET negotiating committee consisted of National Vice-President Richard K. Radek, General Chairman-Sub-Koooco, and GCA First Vice-General Chairman and S7 Mark Whitchurch.

The agreement succeeded in getting what we believe are better than average general wage increases on the table,” Brother Koooco said. He said the Brotherhood also secured more paid time off in the tentative agreement as well as other improvements, including better life insurance benefits.

Brother Koooco said the BLET took an aggressive approach toward negotiations, initiating early contract talks with the carrier prior to the expiration of the existing contract. He said that early, unofficial talks began in mid-2004. As a result, BLET members will see wage increases on June 1 if the new contract is ratified in May, as opposed to August 1 under the old agreement.

The tentative agreement covers approximately 400 BLET members.

Remote Control

After six trains went through the section managers within five months, NJ Transit began what it called an “aggressive plan” to retain all 419 engineers over 30 days by sending supervisors to ride with them. “This is absolutely not an aggressive plan,” he said. “What they’re doing is just a stop-gap measure. It’s not going to stop another stop signal violation.” Six engineers allegedly went through stop signals between November and March and were suspended without pay for 30 days.

The incidents occurred at New York Penn Station and Secaucus Junction.

Vallochi said NJ Transit has been relying on engineers with too little experience to work on CN’s former Illinois Central properties when he was with the agency. Former Deputy Administrator Stephen McHale was the TSA’s second-ranking official from 2002 to 2004. He says he was disappointed at the pace and the amount of resources the government directed to secure hazmat, explosives and other dangerous materials on the nation’s rails. (The Associated Press)

UP switchman killed in remote control accident

NJ Transit training ‘inadequate’

BLET General Chairman Bob Vallochi criticized NJ Transit for not doing enough to retain its engineers.

News Briefs

NJ Transit training ‘inadequate’

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Ex-TSA official faults rail security

A former TSA official says the government hadn’t had adequate plans to secure hazardous rail shipments when he was with the agency. Former Deputy Administrator Stephen McHale was the TSA’s second-ranking official from 2002 to 2004. He says he was disappointed at the pace and the amount of resources the government directed to secure chemicals, explosives and other dangerous materials on the nation’s rails. (The Associated Press)
Amtrak: an essential transportation mode

Amtrak is an essential transportation mode for thousands of people across the country. In some towns, Amtrak is the only way for people to get to major metropolitan areas, and the Amtrak lines have lessened highway traffic in many large cities. We are committed to seeking a long-term funding solution for Amtrak, as opposed to the yearly struggles for survival funding we have experienced. Now with President Bush’s zero-funding proposal, the future of Amtrak appears to be in greater jeopardy than ever. It is a shame that the White House is so out of touch with the needs of the general public. We deserve a safe, reliable and affordable way to reach major metropolitan areas, or even take vacations.

Our Amerak members also deserve a good contract. As you know, for the past five years both your Amerak BLE/IT and brothers and sisters of the Brotherhood of Maintenance of Way Employes Division have been working without a contract. This is due to the refusal of Amtrak’s chief negotiator to bargain. We support the Transportation Trades Division’s Amtrak task force and the work of our BLE/IT/BMWED task force in exploring ways to get negotiations moving again.

Engineers Cannot Be Replaced

We anticipate that the Federal Railroad Administration will issue a report about remote control locomotive operations in May. We oppose the use of remote control without the issuance of comprehensive rulemaking to insure the safety of this technology. The security of railyards and equipment is still woefully inadequate. Very few of our members have received first-responder training and trespassers access rail property daily. The current use of remote control has resulted in countless accidents and fatalities whether it is hauling hazardous materials or not. No type of device can replace the eyes and ears of trained locomotive engineers.

I recently appointed John Murphy as the director of the Teamsters Rail Division. Brother Murphy, also a Teamsters International Vice President, spent countless hours at member meetings throughout the country in preparation for the BLEET merger vote in 2003. He continues to provide leadership and direction as part of the Rail Labor Bargaining Coalition and is committed to bringing Teamsters unity, power and strength to all of our rail members.

In Solidarity,

James P. Hoffa
General President

Advisory Board February Activity

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

JUNE 5-10... Hazmat Training Workshops, National Labor College, Silver Spring, Md. Wsops of Mass Destruction awareness training is now a part of the five-day hazardous waste/chemical emergency response training offered at the Geroge Meany Center/National Labor College. The workshop also covers DSM and DCT required procedures and different levels of response and worker protection in case of a hazardous material emergency or release. Training includes advanced classroom, shop also covers OSHA and DOT required procedures and different levels of response and worker protection in case of a hazardous material emergency or release. Training includes advanced classroom, room instruction, intensive hands-on drills and a simulated hazmat response in full safety gear. To register, call (301) 493-2440 or e-mail: cradger@gombreyn.org.

JUNE 12-17, 2005... 78th Annual Southeastern Meeting Convention, Montgomery, Ala. Hosted by Brother David Bowen and the members of BLEET Division 740, the 78th annual SMC will be held at the Embassy Suites Hotel, 300 Tallapoosa St., Montgomery, Ala. The room rate is $114 per night and reservations can be made by calling: (334) 269-2055.

JUNE 26-30, 2005... 67th Annual Eastern Union Meeting Convention, Saratoga Springs, N.Y. Hosted by Arrangements Chairman Bill Keesing and the members of Division 66, 67th annual EUA will be held at the Prime Hotel Saratoga Springs, 534 Broadway, Saratoga Springs. Brother Keesing reports that the hotel is now accepting early-bird reservations by calling (518) 584-4000 or (888) 999-4017. Members should ask for the EUA rate when making reservations, which is $110 per night. Brother Keesing can be contacted at (518) 609-2297 or <bkkeesing@optonline.net>.

JULY 3-8, 2005... 65th Annual International Western Convention, Calgary, Alberta Hosted by Mike Linkletter and the members of BLEET Division 535, the 65th annual IWC will be held at the Fairmont Palliser, 133 9th Ave. SW, in Calgary. Room rates are $144 per night (Canadian). For details, contact Brother Linkletter at <ble355leg@yahoo.com>.

JULY 10-15... Hazmat Training Workshops, National Labor College, Silver Spring, Md. See below. To register, call (301) 493-2440 or e-mail: cradger@gombreyn.org.

OCTOBER 2-6, 2005... 70th Annual Southeastern Meeting Convention,Memphis, Tenn. Hosted by John Schlabach and the members of BLEET Division 141, the 70th annual SMW will be held at the Renaissance/Memphis City Center Hotel, (901) 288-8000 or (901) 486-3571. More details come to when available.

SAFETY TASK FORCE HOTLINE

(800) 306-5414

Report major accidents when they happen

LOCOMOTIVE ENGINEERS AND TRAINEES NEWS

BLET NEWS

A message from IBT President James P. Hoffa

April 2005 Calendar and Events

National President Dan H. Hults — National Division office; General secretary-treasurer; Coordinating Attorney for Labor Organizations (CAGO) dept., health and welfare, News; IBT Advisory Board dept.; FMLA (Family Medical Leave Act) dept.; BLET General Committee dept.; BLET Labor Relations dept.

Vice President & General Secretary-Treasurer Merle W. Gebler — Office; BLET General Committee dept.; General office duties, telephone, correspondence; BLET networking dept.; AFL-CIO mtgs.; Metro North mtgs.; Norfolk Southern General Chairmen mtgs.; Rail Labor Bargaining Coalition mtgs.

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