# **'HE LOCOMOTIVE NEWSLETTER** · MAY 2002 **Informational picketing continues**

### Teamsters, 20 BLE Divisions participate in UP picketing

Members representing 20 Divisions of the Brotherhood of Locomotive Engineers (BLE), along with members of Team-

sters Local 222. conducted informational picketing on April 19 in Salt Lake City to educate shareholders of the Union Pacific Railroad (UP) about the potential

dangers of using non-qualified workers to operate remote control locomotives in the railroad industry.

The informational campaign began at 8:30 a.m. (MST) outside of the Little America Hotel at the annual meeting of UP's shareholders. The Union Pacific engineers distributed flyers predicting that the use



of the remote control technology by non-qualified ground personnel would reduce productivity by more than 30 percent.

The flyers also indicated that Union Pacific could avoid this and other potential problems by using federallycertified locomotive en-

gineers to operate remote control locomotives. The flyers urge UP shareholders to, "Insist that certified locomotive engineers, the most qualified and experienced personnel, continue to operate locomotives. This will guarantee and insure that everyone's best interests are served."

In addition to the flyers,



BLE members and Teamsters conduct informational picketing.

Right: D.A. Bartlett (right) and an unidentified member of Teamsters Local 222 participate in the BLE's informational picketing at the UP shareholder meeting outside the Little America Hotel in Salt Lake City, Utah. Brother Bartlett belongs to BLE Division 713 (Salt Lake City).

the BLE and Teamster members held large banners and posters with slogans such as, "Safe, productive and proud since 1863... the Brotherhood of Locomotive Engineers."



The 20 BLE Divisions participating in the April 19 demonstration were: 349, 846, 55, 136, 222, 374, 681, 713, 888, 794, 228, 766, 236, 362, 676, 193, 366, 415, 44 and 245. •

### **BLE** targets BNSF execs, shareholders

Members of **BNSF** the Brotherhood of Locomotive Engineers protested the implementation of remote



control locomotives at a meeting of Burlington Northern Santa Fe's shareholders in Fort Worth, Texas.

The informational picketing on April 17 focused on the use of remote control locomotives by train crew members who are not federally licensed or certified as locomotive engineers.

See **BNSF**, Page 2

# **BLE, Teamsters resume discussions**

Leaders of the Brotherhood of Locomotive Engineers and International Brotherhood of Teamsters continued discussions regarding a merger or affiliation in Las Vegas during the first week of May.

The BLE-Teamster talks were held after the Teamster's one-day special convention for "Building Teamster Power."

Among the issues discussed during these meetings was a membership per capita fee that the BLE International Division would pay to the Teamsters each month, in the event BLE members voted in favor of a merger or affiliation. This fee would be structured after the way all AFL-CIO affiliates pay a monthly per capita fee to the national AFL-CIO. Discussions also touched on health and welfare issues and the resources that the Teamsters and BLE have to offer.

"The meetings went very well and we are optimistic that the terms and conditions for a merger or affiliation of the BLE and the IBT will be worked out to the satisfaction of our members, who will have the final say on this issue," BLE President Don M. Hahs said.

On February 27, the BLE's Advisorv Board unanimously approved a motion allowing the BLE's Executive Committee to explore a possible merger or affiliation with the International Brotherhood of Teamsters. in accordance with Section 1(e) of the BLE Constitution & Bylaws.

### Negotiations with NCCC continue

The BLE's National Wage/Rule Committee held contract negotiations with the National Carriers Conference Committee (NCCC) on April 8-9, with additional meetings scheduled for later this month.

BLE negotiators indicated the meetings went well, with discussions focusing mainly on health and welfare issues.

The next set of meetings is scheduled for May 21-22 in the Dallas/Fort Worth area. •

### Seven remote control incidents documented since mid-March

A collision between a standing Union Pacific freight train and a remote controlled locomotive in Hinkle. Ore., is the most recent of seven accidents involving remote control technology in the past month.

One accident has occurred on CSX property, five on Union Pacific territories, and one at a power plant in Indiana.

The United Transportation Union has reported that its own members are to blame for these incidents, and not

on its website that, "the accidents on CSX and UP (in its own members for causing these recent accidents.



This derailment of a remote control unit occurred on April 28 in Hinkle, Ore. Local UP officials insist the incident never happened.

Portland, Ore.) were caused by human error." In other words, the UTU has chosen to defend the integrity of remote control technology over its own dues-paying members. Thus far, only UTU members have operated remote control devices.

UTU is working closely with the nation's rail carriers to implement "pilot projects" using the new technology. By endorsing carrier reports that place the

remote control technology. On May 2, UTU reported blame entirely on employees, the UTU is implicating

"If the remote control technology itself is not to blame, then perhaps the carriers are not properly training employees to use the devices," said BLE President Don M. Hahs. "Regardless of what the carriers and the UTU believe, derailments and other incidents involving remote control locomotives have occurred. We believe it is important to document these incidents for the benefit and safety of the general public."

Hahs commented on the carrier and UTU assertion that "human error" was to blame in these incidents. "Perhaps if an experienced, certified locomotive engineer were operating the remote control de-

See Remote Control, Page 7

### **Brotherhood of Locomotive Engineers**



Since 1863, a tradition of forward thinking

# **BLE General Chairmen respond to** statements by BNSF Chairman Rose

In a strongly worded letter to Burlington Northern Santa Fe Chairman Matthew K. Rose, the BNSF-BLE General Chairmen rebutted statements made by Rose regarding the implementation of remote control pilot projects on that railroad.

In an article published in the Fort Worth Star-Telegram, Rose was quoted as saying that the use of crew members other than locomotive engineers to operate remotes was a "productivity matter." The general chairmen, Dennis Pierce, John Mullen, Austin Morrison and Rick Gibbons, took exception to that statement and provided evidence to the contrarv.

In their letter to Rose, the general chairmen cited several reasons why remote controlled locomotives would be more efficiently operated by certified locomotive engineers than other train crew members. They noted that other programs have used a combination of remote controls and the control stand in the locomotive in order to achieve greater efficiency in train movement. The general chairmen also cited the locomotive engineer's extensive knowledge of operating and safety rules.

The general chairmen are concerned with the job protection of locomotive engineers on BNSF. While the carrier has promised that the affected employees will receive protection, they have acted to the contrary in some circumstances.

The BLE General Chairmen again requested the opportunity to meet with Rose in order to discuss the issue of remote operations.

A copy of the General Chairmen's letter is available on the BLE website.

### **BLE** informational picketing targets **BNSF** in Fort Worth

#### **BNSF Continued from Page 1**

"We think it's a safety issue," BLE General Chairman Dennis Pierce told the Fort Worth Star Telegram. "Our

jobs are at stake." Also participating in the informational picketing were BNSF General Chairmen John Mullen and Rick Gibbons; Vice Chairmen Matt Wilson, Steve Bratka and Don May (BNSF North Lines); Terry Briggs, Chairman of the Texas State Legislative Board; Mark E. Banton, Local Chairman of Division 500; and George Smith, Secretary-Treasurer of Division 500. Members of the American Train Dispatchers Department of the BLE also participated in the informational picketing.

BNSF chairman Matt Rose told the newspaper that BNSF plans to take delivery of 30 new remote control units throughout the year, to be used at various switching and classification yards on its 29-state system.

Rose also told the newspaper that the issue of using employees other than members of the Brotherhood of Locomotive Engineers to operate the remote controls was a "productivity matter" (see related article on page 2 of this issue).

General Chairman Pierce advised the Star-Telegram reporter that he has informed BNSF management that the use of federally licensed locomotive engineers in the implementation of remote control operations would be the safest and most productive method of operation. However, railroad management has refused to negotiate with BLE on the issue. •

# Photos from UP informational picketing



From left: Teamster Local 222 members Kolette Ottley, Rusty Hart and Ed Bagwell.



From left: Teamster Local

222 members Corey Haslam and Brian Ham.

Left: Union Pacific President & CEO Ike Evans (holding umbrella) meets with BLE members at the UP shareholders' meeting. As a result of the picketing, the BLE now has a commitment from Mr. Evans to schedule a meeting with all the BLE-UP General Chairmen in the near future.



It was a family affair as Larry E. Stevenson brought his daugther, Hunter, along to participate in the informational picketing. Brother Stevenson is a member of BLE Division 374 (Ogden, Utah).



Teamster Local 222 member Matt Wagner.

# **BLE scores another win in Pa.**

### Legislation protects train crews from showing auto drivers license after rail accidents; Bill moves to Senate

On April 2, the Brother- or highway, shall be required under Pennsylvania code.

### **Ertman helps members on KCS**

For the past 11 years, W.R. "Bill" Ertman has dutifully served BLE Division 527 (Pittsburg, Kan.) as secretary-treasurer and legislative representative. Following in his father's footsteps, Ertman began his railroad career in Pittsburg, Kan., as a telegrapher for the Kansas City Southern in 1961. He also worked as a brakeman for the KCS in 1977. He went firing on Dec. 22, 1979, and was promoted to engineer on May 22, 1980. His father, Raymond, was also a locomotive engineer for the KCS. Since he joined the BLE in 1987, Brother Ertman has been committed to serving this organization and his fellow members. He has helped to shape the future of the BLE by serving as a delegate to the International Division Convention

in 1996, and helped preserve its future by volunteering to be a member of the Mobilization Team on the KCS. All the while, he made sure his fellow mem-

hood of Locomotive Engineers' Pennsylvania State Legislative Board won another victory in the Pennsylvania General Assembly for the rights of all train crew members.

House Bill Number 387, introduced by Rep. Lynn Herman (R-77), amended HB 1248 and would prohibit police from requesting to see a locomotive engineer's drivers license in the event of an accident. The bill now waits for referral to the Pennsylvania Senate.

The bill reads: "no engineer, conductor, brakeman or any other member of the crew of a locomotive or train being operated upon rails, including operation on a railroad crossing over a public street, road

to exhibit their driver's license upon demand by a police officer in connection with the operation of a locomotive or train within this commonwealth."

"What the BLE Pennsylvania Legislative Board sought was protection for locomotive engineers and their Pennsylvania drivers licenses in the event of any type incident," said Pennsylvania State Legislative Board Chairman Ken Kertesz. "Often, information taken from the drivers licenses by police authorities is turned over to auto insurance companies and this can be misconstrued as having a motor vehicle accident. Clearly, a locomotive is not a motor vehicle

"This bill, when referred to the Pennsylvania Senate and hopefully enacted, will protect our members and their civil rights," Chairman Kertesz continued. "We thank Representatives Herman, Geist, Veon and the other 193 State Representatives who saw fit to endorse legislation so vitally needed."

On March 12, the Pennsylvania State House passed HB 1247, which would prohibit freight locomotives from operating in reverse or in the backup position on main and secondary lines. The bill, strongly supported by the BLE, passed the House 198-1, and was referred to the Pennsylvania Senate Transportation Committee for action. •

bers were treated fairly by fighting for their back pay.

"Bill deserves an award for the most dedicated union officer," said General Chairman Sam Parker.

"He is what you would call an expert on the pay issues that might arise on the property, and would extend a helping hand to any Union Brother."

Brother Ertman and his wife, Yvonne, have a daughter, Leanne, and four grandchildren.

"Bill's hobby is his union," said Tim Windsor, Local Chairman of Division 527. "Bill works continuously helping the members of the BLE."

# **BLE display popular at Union Industries Show**

The "city of lakes," Minneapolis, Minn., was the site of the 2002 AFL-CIO Union Industries Show. Hundreds of union trade exhibitors, including the Brotherhood of Locomotive Engineers, offered the public a glimpse of union workers' skill and pride in North American industries.

The Union Industries Trade Show d

serves as a unique job fair opportunity, offering visitors, especially young adults, an opportunity to see a vast array of exhibits which feature live demonstrations, the latest technology and union craftsmanship. An estimated 300,000

visitors passed through the newly expanded Minneapolis Convention Center Exhibit Hall during the four-day show (April 5-8). Busloads of school children were special guests on Friday and Monday mornings.

BLE Education and Training Coordinator Ken Kroeger put together a team of volunteers to staff the BLE display booth, which featured a cutaway from a locomotive cab provided by Baultar of Windsor, Quebec, Canada. Baultar manufactures modular ergo-



A close-up of the locomotive cab mock-up.

nomic seating systems and cab accessories for railway locomotive and mass transit control cabs.

The cab cutaway from an old CN unit, originally built as a GP38-2, attracted the attention of show visitors of all ages. Baultar employees Len Woolgar and Charles Olivier Boudrias donned BLE shirts and cheerfully

> greeted visitors each day, encouraging them to sit in the operator's seat and become familiar with the immediate surroundings an engineer experiences while operating a locomotive.

Minnesota State Legislative Board Chairman Tom

Perkovich and two other local BLE members, Kay Cooper and Tom Halonen, also volunteered their time at the booth. Numerous visitors, especially children, enjoyed being photographed sitting at the throttle and were given a Polaroid copy to keep as a souvenir.

A handout entitled "Becoming a Locomotive Engineer" attracted the attention of a number of visitors. Many who stopped by the booth expressed an interest in working as a locomotive engineer and asked about job openings in the railroad industry.

This year's show was dedicated to Dennis Kivikko who died last December after a brief hospitalization for treatment of pulmonary fibrosis. Brother Kivikko had served as Secretary-Treasurer of the AFL-CIO Union Label and Service Trades Department since 1996. He had also served as the Manager of the annual Union Industries Show since 1990. The show was Dennis's passion and his absence was felt by those who had known and worked with him on previous shows.

Next year's show will be held in Philadelphia, Pa. •





Tom Halonen (right), a member of BLE Division 494 (Minneapolis, Minn.), explains what it takes to be hired as a locomotive engineer in the railroad industry. With a cutaway of a locomotive cab, the BLE booth received many interested visitors. More than 300,000 visitors attended the AFL-CIO's week-long Union Industries Trade Show in Minneapolis.



/arious dignitaries and labor leaders, including AFL-CIO Secretary-Treasurer Richard Trumka





Ken Kroeger, Coordinator of the BLE Education & Training Department, with spouse Sereena Hogan, GIA 3rd International Vice-President, manning the BLE display booth. (center), participate in the ribbon cutting ceremonies to open the 2002 Union Industries Trade Show. Part of the trade show included a booth commemorating union heroes and a wall listing the names of all union members lost to terrorism in 2001.

# Space remains for West Coast Local Chairman workshop

Room is still available for BLE members interested in attending the June 2-7 West Coast Local Chairman Workshop offered by the BLE Education & Training Department on the Clark Kerr Campus of U.C. Berkeley in Southern California.

Among other topics, the workshop will cover BLE organizational structure and functions, representing members at disciplinary and decertification hearings, union leadership skills, claim and grievance handling, and writing and editing skills. Participants also will learn how to effectively use the BLE arbitration database. A highlight of the workshops is when attendees participate in a simulated disciplinary hearing. The BLE encourages all Local Chairmen to attend one of these workshops, including new and more experienced local chairmen. BLE members who are not local chairmen may also attend these classes, provided they receive authorization from their local chairman to attend.

The BLE Education & Training Department presents these workshops in conjunction with the staff of the George Meany Center. Workshops instructors will include BLE General Secretary-Treasurer William C. Walpert, BLE Vice-President Richard K. Radek, Special Representative Ken Kroeger, and BLE Arbitration Department Manager Greg Ross. Donald Spatz, an adjunct professor from the George Meany Center, will also instruct at the workshops.

The BLE pays the costs of books, equipment, tuition and a Thursday evening graduation banquet. BLE members who attend are responsible for the cost of room and board.

The next local chairman workshop will be October 13-18 on the campus of the George Meany Center in Silver Spring, Md.

To register, please contact Ken Kroeger of the BLE Education & Training Dept. at (216) 272-0986 or <kroeger@ble.org>. •

# Why I belong to the BLE

By John R. Koonce, General Chairman

**BLE Editor's Note:** The following was written by BLE General Chairman John Koonce in response to an editorial published on the UTU website on May 1, and also published in the May 2002 issue of the UTU newsletter.

I received a copy of typical UTU-E rhetoric yesterday from a Vice Local Chairperson trying to justify his existence in the UTU conductors' local ("Why don't I join the BLE? I'll tell you," by David Currence Vice Local Chairperson, Local 1011, Hamlet, N.C.).

Since I neither have nor want to have any connection with the UTU-E or its International Officers, I thought I would address this misguided soul's statements through the BLE.

The first thing I noticed was that Brother Currence doesn't have years behind him to know or even understand the \$1.50 that he expounds upon. I have 36 years of service on the Illinois Central and even I didn't see the \$1.50 "so called sell out."

I do know one thing that I believe Brother Currence has conveniently left out of his story and that is the zero-dollar sell-out of the firemen on October 31, 1985. This UTU sell out attrited the fireman's positions forever — assigning the work to the trainmen. This also included forced promotion to Locomotive Engineer. Another UTU sell-out, although not zero-dollar, was the flagman — whoops! Guess his "wiser, more experienced leadership" forgot to tell him about that one! What about the head brakemen and switchmen? More UTU sell outs!

Now, in the name of "progress," it is the Engineer that is being sold out by the UTU, this time through remote control.

I found it interesting, but hard to digest, this great UTU logic Brother Currence refers to regarding historic precedence, as well as his "guidance and support of the wiser, more experienced, leadership" in his organization. If you think remote control is only here to fail and will be a memory in the past as your DWORS on the CSX, you better wake up and smell the roses pal!

As I said, I hired out on the Illinois Central 36 years ago; I've been through furloughs (over three years), two mergers, spin-off of two-thirds of the IC to short line railways, loss of the caboose, loss of the flagman, loss of the firemen and hostlers, loss of the switchmen, loss of the operators, loss of most of the clerks, loss of most of the carmen, and loss of nearly all the roundhouse employees. My experience tells me:

• Whether good or bad, mergers and spin-offs cannot be blamed on anyone but the carriers;

• The loss of the caboose was through technology and the UTU, when the UTU agreed to replace the flagman with the rear end devices — and a few bucks.

• Technology (and the UTU) won again and the

head brakemen are almost history, again for a few more bucks for their fellow UTU brothers.

• And who is doing the work of the clerks, operators and most of the carmen? Trainmen. And how much are they being paid? Nothing! UTU and technology strike again!

• Now the firemen, a thing of the past. Was it technology or the October 31, 1985 UTU agreement? Well, the pay was good — zero dollars, and the positions were replaced with trainmen and laborers.

I could go on and on but I am sure Brother Currence was advised of all this by the much "wiser and more experienced leadership" in his organization — or maybe all they told him was something about \$1.50. These are this same leaders that he thinks are working for him and his family when the time comes to make concessions. (I thought leaders were supposed to gain increases in contracts, not concessions.) Does Brother Currence want someone like them — who have historically "protected" jobs — to now "protect" everyone's jobs? (Hello, wake up and smell the roses again!)

In closing I am asking Brother Currence to go back and look at the facts himself; it might be a wiser choice than relying on all those "wiser, more experienced" leaders.

That is why I belong to the BLE!

John R. Koonce Division 512

### BLE leaders discuss remotes at Western General Chairmen's meeting



BLE members and officers spent a great deal of time discussing the implementation of remote control technology at the annual Western General Chairmen's Association meeting. From left: P.J. Williams, BNSF Vice-Chairman (former AT&SF); M.O. Wilson, BNSF Vice-Chairman (former CB&Q/GN/NP/SP&S); D.R. Pierce, BNSF/MRL General Chairman; A.G. Morrison, BNSF General Chairman (former C&S/CRI&P/FWD); R.C. Gibbons, BNSF General Chairman (former STL-SF); and M.F. Chenchar, Union Pacific-Eastern District First Vice-Chairman.



From left: D.M. Menefee, CSXT-Northern Lines General Chairman; Steven Speagle, BLE International Vice-President; L.W. Sykes, Norfolk Southern-Northern Lines General Chairman; M.A. Young, Union Pacific-Central Regional General Chairman; P.J. Williams, BNSF Vice-Chairman; (partially obscured) M.O. Wilson; and D.R. Pierce.



From Left; R.R. McMillin, member of BLE Division 367 (Springfield, Mo.); S.W. Parker, Kansas City Southern General Chairman; Merle Geiger, BLE International Vice-President; W.L. Morris, Local Chairman of BLE Division 316 (Atlanta); C.L. Roy, CSXT-Western Lines General Chairman; A. Smith, CSXT-Eastern Lines General Chairman; and J.W. Hinely, CSXT-Eastern Lines Vice-Chairman.



From Left; J.R. Koonce, Illinois Central General Chairman; G.L. Gore, Union Pacific-Southern Region General Chairman; T.J. Donnigan, Union Pacific-Western Region General Chairman; M.L. Elsberry, Union Pacific-Northern Region First Vice-Chairman; and B.D. MacArthur, Union Pacific-Northern Region General Chairman.

# **RETIREMENT BOARD NEWS**

# **Benefits under Railroad Retirement, Social Security**

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

The following questions and answers show the differences in railroad retirement and social security benefits payable at the close of the fiscal year ending September 30, 2001. It also shows the differences in age requirements and payroll taxes under the two systems.

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

The average age annuity being paid by the Railroad Retirement Board at the end of fiscal year 2001 to career rail employees was \$1,835 a month, and for all retired rail employees the average was \$1,415. The average age retirement benefit being paid under social security was about \$850 a month. Spouse benefits averaged \$550 a month under railroad retirement compared to \$420 under social security.

The Railroad Retirement Act also provides supplemental railroad retirement annuities of between \$23 and \$43 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 recent 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 2001, regular annuity awards averaged over \$2,405 a month while monthly benefits awarded to workers retiring at age 65 under social security averaged about \$1,110. If spouse benefits are added, the combined benefits for the employee and spouse would approximate \$3,395 under railroad retirement coverage, compared to \$1,660 under social security. Adding a supplemental annuity to the railroad family's benefit increases average total benefits for current career rail retirees to over \$3,430 a month.

4. Can railroaders retire at earlier ages than workers under social security?

Railroad employees with 30 or more years of creditable service are eligible for regular annuities based on age and service the first full month they are age 60, and rail employees with less than 30 years of creditable service are eligible for regular annuities based on age and service the first full month they are age 62.

No early retirement reduction applies if a rail employee retires at age 60 with 30 years of service and his or her retirement is after 2001, or had retired before 2002 at age 62 or older with 30 years of service.

Early retirement reductions are otherwise applied to annuities awarded before full retirement age—the age at which an employee can receive full benefits with no reduction for early retirement. This ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later, the same as under social security.

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 regardless of years of coverage.

#### 5. 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.

However, the Railroad Retirement Act includes 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. pared to about \$710 under social security.

The annuities being paid at the end of fiscal year 2001 to widowed mothers/ fathers averaged \$1,075 a month and children's annuities averaged \$705, compared to \$600 and \$555 a month for widowed mothers/fathers and children, respectively, under social security.

Those awarded at the end of fiscal year 2001 were \$845 a month for widowed mothers/fathers and \$1,065 a month for children under railroad retirement, compared to \$615 and \$575 for widowed mothers/fathers and children, respectively, under social security.

These amounts do not reflect the Railroad Retirement and Survivors' Improvement Act of 2001 enacted at the end of 2001, which will increase future awards of railroad retirement widow(er)s' annuities and increased the amounts payable to about 25 percent of the widow(er)s on the Board's rolls in February 2002.

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

Both the railroad retirement and social security systems provide a lumpsum death benefit. The railroad retirement lump-sum benefit is generally payable only if survivor annuities are not immediately due upon an employee's death. 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 \$255. However, if a railroad employee completed 10 years of service before 1975, the average railroad retirement lump-sum benefit payable is \$950. Also, if an employee had less than 10 years of service, but had at least 5 years of such service after 1995, he or she would have to have had an insured status under social security law (counting both railroad retirement and social security credits) in order for the \$255 lump-sum benefit to be payable.

The social security lump sum is generally only payable to the widow or widower living with the employee at the time of death. Under railroad retirement, if the employee had 10 years of service before 1975, and was not survived by a living-with widow or widower, the lump sum may be paid to the funeral home or the payer of the funeral expenses. The railroad retirement system also provides, under certain conditions, a residual lump-sum death benefit which ensures that a railroad family receives at least as much in benefits as the employee paid in railroad retirement taxes before 1975. This benefit is, in effect, a refund of an employee's pre1975 railroad retirement taxes, after subtraction of any benefits previously paid on the basis of the employee's service. However, an employee's benefits generally exceed taxes within two years; this death benefit is, consequently, seldom payable.

#### 8. How do railroad retirement and social security payroll taxes compare?

Railroad retirement payroll taxes, like railroad retirement benefits, are calculated on a two-tier basis. Rail employees and employers pay tier I taxes at the same rate as social security taxes, 7.65 percent, consisting of 6.20 percent on earnings up to \$84,900 in 2002 and 1.45 percent for Medicare hospital insurance on all earnings.

In addition, rail employees and employers both pay tier II taxes which are used to finance railroad retirement benefit payments over and above social security levels.

In 2002, the tier II tax rate on employees is 4.90 percent and on rail employers and rail labor organizations it is 15.60 percent on employee earnings up to \$63,000. It will be 14.20 percent in 2003, but most likely on a higher amount of earnings. On rail employee representatives the rate is 14.75 percent in 2002, and will be 14.20 percent in 2003. An employee representative is a labor official of a non-covered labor organization who represents employees covered under the Acts administered by the Railroad Retirement Board.

Beginning with the taxes payable for calendar year 2004, tier II taxes on both employers and employees will be based on an average account benefits ratio. Depending on the average account benefits ratio, the tier II tax rate for employers will range between 8.20 percent and 22.10 percent, while the tier II tax rate for employees will be between 0 percent and 4.90 percent.

#### 9. How much are regular railroad retirement taxes for an employee earning \$84,900 in 2002 compared to social security taxes?

The maximum amount of regular railroad retirement taxes that an employee earning \$84,900 can pay in 2002 is \$9,581.85, compared to \$6,494.85 under social security. For railroad employers, the maximum annual regular retirement taxes on an employee earning \$84,900 are \$16,322.85 compared to \$6,494.85 under social security.

3. How much are the disability benefits currently awarded?

Disabled railroad workers retiring directly from the railroad industry at the end of fiscal year 2001 were awarded about \$2,105 a month on the average while awards for disabled workers under social security averaged over \$845.

While both the Railroad Retirement and Social Security Acts provide benefits to workers who are totally disabled for any regular work, the Railroad Retirement Act also provides disability benefits specifically for career employees who are disabled for work in their regular railroad occupation. Career employees may be eligible for such an occupational disability annuity at age 60 with 10 years of service, or at any age with 20 years of service. Therefore, if a retired rail employee has children who would otherwise be eligible for a benefit under social security, the employee's annuity can be increased to reflect what social security would pay the family.

6. How much are monthly benefits for survivors under railroad retirement and social security?

Survivor benefits are generally higher if payable by the Board rather than social security. At the end of fiscal year 2001, the average annuity being paid to all aged and disabled widow(er)s averaged \$865 a month, compared to \$805 under social security.

Benefits awarded by the Board at the end of fiscal year 2001 to aged and disabled widow(er)s of railroaders averaged about \$1,065 a month, comEmployees earning over \$84,900, and their employers, will pay more in retirement taxes than the above amounts because the Medicare hospital insurance tax of 1.45 percent is applied to all earnings. •

### Engineers asked to sound whistles on Memorial Day

The U.S. Department of Transportation is asking all BLE members to sound their locomotive horns at 3 p.m. local time on Memorial Day — Monday, May 27.

The horn sounding is part of the "National Moment of Remembrance" to recognize the heroic men and women who died in service of our nation to preserve our freedom.

In addition, conductors are asked to make an announcement on passenger trains at 3 p.m. local time on Memorial Day.

# **President's statement on Workers' Memorial Day**

*Editor's Note:* The following statement was issued by BLE International President Don M. Hahs:

On Sunday, April 28, locomotive engineers will join other workers across the nation to commemorate the many people who have lost their lives while at work by observing Workers' Memorial Day.

Each day in this country thousands of workers are killed or injured on the job. None of these injuries or deaths need to happen. Our goal is zero tolerance for work place injuries. We should be outraged at the way that many of these incidents occur.

On a terrible day last September, we lost thousands of our brothers and sisters. These workers, both the organized and the unorganized, went to work that day and they did not get to go home. This incident provoked a great sense of outrage, but all workplace deaths provoke outrage.

Since 1996, the BLE has lost 25 of

its members to accidents in the workplace. Most recently, Charles B. "Charlie" Smith, 35, was killed as he boarded his Norfolk Southern freight train just north of the Edgemore freight yard in Delaware on March 21. He was local chairman of BLE Division 484 in Delmar, Del. His death and all the others provoke a sense of outrage.

After falling for the last decade, railroad-related deaths are now on the rise. Our goal of zero tolerance for deaths in the industry needs to be realized. The industry has paid lip service to safety over the years, and they need to put less effort into profits and more effort into safety.

We also need to remember that many of the injuries that occur at work are not of the sudden, catastrophic kind such as the ones mentioned above. Over a million workers per year are stricken with repetitive stress and strain injuries, including many in the transportation industry. The government needs to protect workers from these highly preventable injuries by enforcing stricter guidelines for employers.

While we have the technology to make the railroads and other industries safer, the companies have made the decision to favor economics over safety. Safety improvements, such as positive train control and ergonomically designed locomotive cabs, cost money, and it seems the companies of this nation have chosen profits over people.

On this Workers' Memorial Day, we should redouble our efforts to make work a safe place for everyone. No worker should ever go to work at the beginning of the day and not get to go home. No family should ever lose a loved one in an accident that is preventable. Workers should never lose their livelihood to a preventable workplace injury. Zero tolerance for workplace injuries should be the way that we remember and commemorate those fallen brothers and sisters. In the line of duty... BLE members killed on the job since 1996:

> Charles B. "Charlie" Smith Mike W. Hoover T.O. "Tom" Landris Raymond J. St. Marie D.E. Nichols Jr. Wayne Connor Yvan Theriault Paul Davis R. A. Oertwig Carl Finzel Don Blain Kevin Lihou Roger H. Bell Debbie Dickerson David Butler J.L. "Joe" King R.W. Adams Michael E. Brown Kelvin N. Winters William B. Smith, Jr. Tom L. Shay Jake Elder J.M. Roybal Ricky M. Orr Alfonso S. DeBonis

### Tracks probed in Auto Train wreck

The National Transportation Safety Board is focusing on misaligned rails as a probable cause of the April 18 derailment of Amtrak's Auto Train near Crescent City, Fla.

The derailment occurred near milepost A722.2 on the CSX Sanford subdivision. After stopping at a signal to allow a coal train to pass, the engineer was in the process of bringing the passenger train back up to track speed when he entered a curve that had a 60 mph permanent speed restriction. The engineer was at 57 mph when he looked up and saw an anomaly in the alignment of the track.

The engineer placed the train into emergency and toggled the HOTD (headend of train device) as required by Amtrak rules. The train's assistant engineer stated that he placed the train in emergency at almost the same time. The assistant engineer also stated that he looked out the window into his mirror and saw the train piling up.

"We believe the train handling skills of the engineer prevented the accident from being worse than it was,' BLE President Don M. Hahs said. "The train crew should be commended for their professionalism and bravery, as it more than likely saved lives." The engineer of the train is a 28year railroad veteran and the second engineer is a 29-year veteran. Both are long-time members of the BLE. Immediately after the accident, the crew decided that one engineer would stay with the locomotives for communications purposes and to protect the head end of the train, while the second engineer would go back and help passengers escape from derailed cars.

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### 75th Annual SMA Pre-Registration Form Brotherhood of Locomotive Engineers June 16-20, 2002

#### HOTEL RESERVATIONS

Virginia Beach Resort Hotel & Conference Center, (800) 468-2722 (In Virginia, please call (800) 422-4747)

#### **SMA PRE-REGISTRATION**

Name of Attendee:			-
Address:			
City:		State:	Zip:
Telephone:			
BLE Division:	Office:		
Spouse's Name:		GIA Division:	Office:
Children Attending:			Desire Child Care? Yes ( ) No ( )
	INTI	Golf ( )	5

"The entire crew is commended by the BLE for their quick thinking and brave actions before and after the derailment," President Hahs said.

Four passengers were killed, 28 of 418 passengers were injured, and 21 of the 40 cars derailed in the accident.

Shopping ( ) Tour of Battleship Wisconsin ( ) Virginia Beach Marine Science Museum ( ) Tidewater Tides Baseball Game ( ) Dinner Cruise on the Spirit of Norfolk ( )

#### ACTIVITY FEE \$50.00 per person attending 2002 BLE/GIA SMA

#### SMA DUES \$20.00 per active member

#### For additional information, contact Chairman T.C. Emory at: (757) 671-3338 or ble456@mindspring.com

Mail this form to: T.C. Emory 4912 Euclid Rd. Virginia Beach, VA 23462

#### Make checks payable to: 75th SMA, T.C. Emory, Chairman

### **BLE documents seven remote control incidents since March**

UTU, carriers say technology is not to blame; UTU website says its own members caused accidents

### **Remote Control**

Continued from Page 1

vices as part of the crew, then maybe these accidents would not have occurred," he said. "The UTU shows its true colors by backing the carrier position that remote control technology played no role whatsoever in these recent incidents."

The seven remote control incidents are outlined as follows:

• On April 24, a remote control switch engine ran into the side of a UP freight train that was leaving Des Moines, causing three rear cars of the freight train to derail. The collision caused significant damage to the switch engine and minor damage to the tracks.

The accident occurred in a switching area where the speed limit is less than 10 mph, and no injuries were reported. However, BLE sources at the scene estimate that damage was serious enough that the incident would have to be reported to the Federal Railroad Administration. Reportable incidents, as defined by FRA, are collisions, derailments or other incidents that cause a minimum of \$6,600 in damage.

The UTU website reported that its own members are at fault for this incident and not remote control technology.

"The remote control unit worked properly... and the incident was blamed on a failure of the crew to properly line a crossover," according to a May 2 report on the UTU website. "At least one of the two crew members on the ground, as well as a utility employee riding the locomotive, knew the switch was not lined properly. The operator had a view of the switch, and the utility employee assumed that the other crew member would throw the switch, according to a source familiar with the incident. Instead, the train plowed into the side of the departing train."

• On April 16 in Montgomery, Ala., a ground-service employee allegedly lost radio contact with the remote control switch engine he was operating. BLE sources say the remote control unit, which was in the process of adding 20 cars to a CSX freight, smashed into the rear of the train, derailing several cars and causing significant damage to the cars and tracks.

Once again, UTU laid the blame for this incident at the feet of one of its dues-paying members.

"Sources familiar with the incident say the operator stepped into a van while running the locomotive, and momentarily lost track of how close the cut of cars was to the train it was being coupled to," the UTU reported on its website. • On April 20 in Hinkle, Ore., a remote control UP locomotive with 15-20 cars collided with a standing set of yard engines at approximately 7 mph. The engineer of the stationary locomotives had just disembarked and was not injured. "Damage was minor according to company officials, but nonetheless a collision occurred," a BLE general chairman reported.

• On April 28 in Hinkle, Ore., a set of remote control locomotives handling over 30 cars ran through a switch-point derail (with blue flag) and went past end-of-track derailing both locomotives. Local company officials refused to acknowledge the incident occurred, nor would they disclose the extent of damage. A photo of this incident is provided on Page 1 of this issue.

• On April 29 in Hinkle, Ore., another remote control locomotive rearended a standing cut of 32 cars, which had a locomotive attached at far end and an engineer at the controls. The engineer escaped serious injury. "Once again, local officials did not disclose damage, nor would they acknowledge the incident occurred even though impact happened in front of these same managers," the BLE General Chairman reported. "Witnesses say that the collision sounded like a bomb going off."

• On May 5 in Hinkle, Ore., a remote control locomotive rolled over a switch point blue flag/ derail, at the same point as the April 29 derailment.

"This one has the record for furthest distance with one locomotive completely off the end of the rail," a BLE source said. "It traveled far enough to foul adjacent track."

• In March, a remote control engine at a power plant in Michigan City, Ind., plowed through the plant and smashed into a manned locomotive. The engineer of the manned train narrowly avoided potential injury or death by jumping to safety.

The remote control engine was pushing six coal cars when it approached the coal drop-off area at about 30 mph. Normally, a train in that area would travel at less than 1 mph. Newspaper reports indicate the remotely controlled train did not respond to radio controls and smashed through

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### IWC 2002 Registration Form 62nd annual International Western Convention July 21-25, 2002

#### HOTEL RESERVATIONS

West Coast Tri-Cities Hotel, (509) 783-0611 (Room rates: \$85 per night) 1101 N. Columbia Center Blvd., Kennewick, WA 99336

#### **REGISTRATION INFORMATION**

The following is a list of events that will be available at the upcoming 2002 IWC. Please take the time to indicate which events you and your party will be attending. This will allow us to plan a more organized convention for everyone. The registration cost will be \$50 per member due upon arrival. This will cover all events to be held at the Westcoast Kennewick hotel.

Name of Attendee:		Division:
Address:		
City:	State:	Zip:
E-mail:		Daytime Phone:
If a Division Officer, which office do you currently hold?		Evening Phone:
Will anyone be attending with you? YES/NO	How many guests?	

#### THESE EVENTS WILL BE PROVIDED AT THE IWC WITH THE INDICATED COST

L	INESE EVENTS WILL BE PROVIDED AT THE TWO WITH THE INDICATED COST:	to radio controis and smashed through
I	Monday, July 22	the shed and coal rotary dumper before
I	Golf Tournament:	hitting the second train.
ļ	Columbia River Journeys: =\$43.74/adult X No. of Adults	These accidents reinforce the
ļ	Children ages 4-11: \$34.02/child X No. of Children =	<ul> <li>BLE's assertion that more precaution</li> <li>and enforceable government regula-</li> </ul>
ļ	•	tions are necessary to the safe imple-
l	Tuesday, July 23	mentation of remote control technology.
I	Casino Night at Celebrity Bowl and Casino (Transportation to and from casino will be provided)	"These incidents are part of the
i	Cost is completely up to you! Number of Planned Participants =	reason we felt it necessary to file suit
ì		against the Department of Transporta-
i	Wednesday, July 24	tion and the Federal Railroad Admin-
İ	Closing ceremonies and banquet at Tri-Cities Coliseum\$20.00/guest X Number of Planned Participants	<ul> <li>istration," President Hahs said. "The</li> <li>railroads are in such a hurry to imple-</li> </ul>
I		ment remote control operations that
I		safety is being compromised."
ļ	Please fax to: (509) 628-3500	He said that instead of adopting
ļ		mandatory regulations to ensure safety
ļ	Thank You!	in remote control operations, FRA
1	Chairman William Amaya	chose to issue non-mandatory "guide-
1	Chairman IWC 2002	lines," which appear to have the effect of de-skilling the engineer's certifica-
1	E-mail: HotThrottle.Will@verizon.net	tion requirements.

# **BLE members encouraged to** register for TTD newsletter

The AFL-CIO's Transportation Trades Department is urging all transportation unionists, including BLE members, to log on to its website and register for its elec-



tronic newsletter. The Transportation Worker is the TTD's electronic activist newsletter and currently has about 2,300

union members registered. This newsletter is an important grassroots legislative and political tool and the TTD, along with the BLE and other unions, is urging all members to register.

To register for the Transportation Worker, go to: www.ttd.org.



www.ttd.org

# **Pierce circulates remote** control response on BNSF

BNSF Northlines/MRL General Chairman Dennis Pierce is circulating information that clarifies his committee's position on the issue of remote control technology and rebuts misleading statements by the UTU.

The packet of information that General Chairman Pierce sent to his local chairmen contains several items which provide an overview of recent events on BNSF and Montana Rail Link regarding the implementation of remote control technology.

In a letter, General Chairman Pierce rebuts misleading statements made by UTU International First Vice-President Paul Thompson. In correspondence, Thompson attempted to draw parallels between the BLE's remote control agreement on the MRL and the UTU's actions on all the major railroads. However, the results are not similar at all, according to Pierce.

"UTU would have you believe BLE's actions somehow justify the fact that (UTU) is assisting the carrier in the wholesale slaughter of the locomotive engineer's position in yard service on BNSF, but the aforementioned MRL there and none of these employees were given protective benefits," Pierce writes.

"UTU has not secured an agreement protecting either the earnings potential or jobs of the existing employees through attrition as we did on MRL. To the contrary, they have proudly agreed to a product that eliminates the locomotive engineer's position, plunging head long into what can only be described as a true race to the bottom. All of this just to secure the jurisdictional rights, and dues receipts, for the surviving operating employees in yard service."

Pierce also confronts Thompson's assertion that a merger between the BLE and UTU would solve all of these problems.

"I do not believe that we should have to merge with the UTU for them to be willing to work together with us for the betterment of all operating employees.

"The employees that BLE and UTU represent deserve much better than that. Unfortunately, the UTU International would rather work against BLE

### **MAY 2002 CALENDAR & EVENTS**

JUNE 16-20, 2002... 75th Southeastern Meeting Association, Virginia Beach, Va. Chairman T.C. Emory is hosting the 2002 SMA at the Virginia Beach Resort Hotel & Conference Center from June 16-20, 2002. Discount room rates of \$99 per night have been secured and the reservation deadline is May 24, 2002. Reservations can be made by calling (800) 468-2722 (in Virginia please call (800) 422-4747). A dinner cruise is being planned as part of the festivities. Space is available on a first-come, first-served basis, so you must register as soon as possible if you are interested. For preregistration form, please contact Brother T.C. Emory at 4912 Euclid Rd., Virginia Beach, VA 23462. E-mail requests can be sent to: <br/>
<br/>
ble456@mindspring.com>. (See Page 6 for more details)

JULY 21-25, 2002... 62nd Annual International Western Convention, Kennewick, Wash. Hosted by Chairman William Amaya in the Tri-Cities area of Washington State, the 2002 IWC is a convention you will not want to miss. Guests will stay at the Westcoast Tri-Cities Hotel at: 1101 N. Columbia Center Blvd., Kennewick, WA 99336, and reservations can be made by calling (509) 783-0611. Mention the BLE convention to receive discounted room rates of \$85 per night (U.S. and Canadian currency). For more details, contact Chairman Amaya by calling (509) 628-8844. IWC 2002, the "Unlimited Convention," will coincide with the "Unlimited Hydroplane" race series. Guests can extend their stays a few days to enjoy the Columbia Cup hydroplane race, one of the fastest sports on the planet. (See Page 7 for more details)

#### AUGUST 18-22, 2002... Eastern Union Meeting Association, Wilkes-Barre, Pa.

Arrangements Chairman Ken Kertesz and members of BLE Division 263 will host the 2002 EUMA in Wilkes-Barre, Pa., at the Woodlands Inn & Resort. Nestled in the Northeastern Poconos, members will enjoy a discounted room rate of \$95 per night (plus tax) for a single or double. Room rates include a fully cooked breakfast each morning and a shuttle service to and from the Wilkes Barre-Scranton International Airport. Reservations can be made by calling (570) 824-9831 or (800) 762-2222. Be sure to mention the EUMA in order to receive the discounted room rate. Tentative activities include golf tournament, formal banquet and a tour of the Poconos. For details, contact Brother Kertesz by phone at (570) 675-2417 or by e-mail at: <kkertesz@adelphia.net>.

SEPTEMBER 23-26, 2002... 67th Annual Southwestern Convention Meeting, Ft. Worth, TX Chairman Mark Banton and members of BLE Division 500 host the 2002 SWCM, to be held at the Radisson Hotel, 815 Main Street Fort Worth, TX 76102. Reservations can be made by calling (817) 870-2100. The tentative agenda is as follows: Monday, September 23: convention registration and golf tournament (8 a.m.); September 24: opening ceremony and barbecue dinner; September 25: workshops and formal banquet; and September 26: closed meeting and SWCM business meeting. For more details, contact Chairman Banton at (817) 641-4606.

### **Advisory Board April Activity**

By action of the delegates at the Fifth Quinquennial Convention, summaries of BLE Advisory Board members' activities are published monthly:

*By action of the delegates at the Frink Quintquerintatic Contretation, standard rises of BLE Advisory Board members' activities are published monthly: International President Don M. Hahs*—International Office: General supervision of BLE activities; General office duties; National Wege/Lub rules. Howton: Union Pacific per support http://www.comention.los/Yeges; Railroad Retirement Board, United HealthCore rules, ID Offices and staff. Geveland; Mug w/ CN CEO Paul Tellier, Weahington D.C.
 First Vice-President & Alternate President Edward W. Rodzwicz—Assisted President in general operation of ID office; General Office duties; Ming will ST President James Hoffa, IBT General Counse IBT department headts; Mig w/ Buth Speakman, Labor member, Railroad Retirement Board; Attended special IBT convention; Publications mig; Telephone and correspondence.
 General Scenetary-Treasocial convention, Las Vegas; Teamsters officiation migs, Las Vegas and D.C.; Railroad Retirement Board mig., Carmel, Calif.; Mig. w/ attorneys concerning Standard Bidg.
 Vice-President Paul T. Sorrow—Notional wege/rule migs; Negatiotions to develop superior health & welfare plan for Norfolk Southern engineers; W&LE negoliations; Grand Trunk Contract negoliations; Prepared for I&O nov. 480, cincinneti, Ohio.
 Vice-President Paul T. Sorrow—Notional wege/rule migs; Negations to develop superior health & welfare plan for Norfolk Southern engineers; W&LE negoliations; Grand Trunk Cord Saw ith various issues; Informational mg, for Div. 489, Cincinneti, Ohio.
 Vice-President Austra, Kasited GC Tony Smith, CS-Estern Lines General Committee; Finalized awards for S&A 1063; Assisted NS, CSX and Grand Trunk Cord Saw ith various issues; Informational mg, for Div. 489, Cincinneti, Mig. w/ Division 206; California State Legislative Board Mig., Corderence with NS&W management; Mig. w/ Division 521.
 Vice-President Meter W. Gegar J.— Study & papervork; General office d

Montreo Vice-President & National Legislative Representative-Canada T. George Hucker—Ottawa Office; National Legislative Board-Canada; CanRail OCS territory mtg., Ottawa; Ignace bunkhouse problem, Thunder Bay; Canadian Meployment Council mtg., Toronto; CPR return to work case, Thunder Bay; WESTAC annual mtg., Edmonton; CP Rail labour relations mtg., Calgary; CP Rail health & safety senior policy cmte. mtg., Calgary; CIRB hearing, CANDO contracting, Winnipeg.

agreement hardly compares to the process in place on the BNSF properties," writes Pierce.

than work together even when it is in the best interest of all." •

Pierce goes on to describe the process by which jobs were actually gained through the BLE's agreement with MRL. He contrasts this with the prospective job losses on BNSF in Galesburg, Ill., where 19 locomotive engineers' positions will be lost, while locomotive engineer and conductor training classes will be discontinued. Some of the jobs lost will be those of trainmen which the UTU represents.

"UTU has publicly stated that all will be protected, but there is no signed agreement stating that. In fact, the Carrier has denied our requests for New York Dock protection for our affected engineer members at Mandan (N.D.) whose jobs were abolished. In addition, several trainmen were furloughed when remote service was implemented



#### THE LOCOMOTIVE ENGINEER NEWSLETTER **Brotherhood of Locomotive Engineers** Since 1863, a Tradition of Forward Thinking

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