RL Labor seeks workforce stabilization

Rail Labor Bargaining Coalition submits workforce stabilization, growth proposals

On May 19, the Rail Labor Bargaining Coalition (RLBC) put forth a proposal to the rail carriers to stabilize employment in each rail craft.

“For years the rail carriers have been downsizing their workforce and increasing the required hours for the remaining employees. This reduction has compromised the safety of our members and has put the safety of the public at risk,” said George Francisco, coordinator of the RLBC and president of the NCFPo.

The RLBC proposal is structured to address incidents such as that in Macdonia, Texas last year when a Union Pacific freight train traveling at 45 mph through a stop signal smashed into another freight train, puncturing a tank car and spilling chlorine gas. The engineer and conductor on the train had worked more than 60 hours over the previous week. Their shifts were long and their hours erratic, as is common in the railroad industry. In the weeks leading up to the crash, each man’s work schedule had at least 15 different starting times at all hours of the day.

“The Macdonia crash and a multitude of others for the remaining employees. This reduction has compromised the safety of our members and has put the safety of the public at risk,” said George Francisco, coordinator of the RLBC and president of the NCFPo.

The RLBC proposal seeks to ensure an adequate number of employees on a rail line in relation to the growth in demand for its rail services. The Association of American Railroads has projected the demand for freight service will jump 67 percent by 2020, yet the carriers have failed to maintain a work force sufficient to maintain infrastructure and operate trains.

“This proposal is crucial for reducing fatigue in the railroad industry and improving safety of rail operations,” said Fred Simpson, national president of the Brotherhood of Maintenance of Way Employees Division (BMWE).

The seven unions of the coalition represent nearly 15 different starting times at all hours of the day.

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Unity Conference boosts BLET, BMWE

On May 8, members of the Brotherhood Locomotive Engineers and Trainmen (BLET), and Brotherhood of Maintenance of Way Employees Division (BMWE) were officially welcomed to the Teamsters during the annual Unity Conference in Las Vegas.

Teamsters General President Jim Hoffa praised the mergers of the two rail unions and how their leaders put the betterment of their members ahead of their personal ambitions. “My father, James R. Hoffa, had the idea that the Teamsters should represent all of transportation labor, and these mergers are completely in line with his directive.”

Prior to the conference, legislative representatives from both rail unions met to discuss the ways in which they could work together on legislation, and get assistance from the Teamsters Government Affairs Department. “It’s dynamite to have the ‘Teamsters’ political clout,” said John Tolman, BLET Chief of Staff and Legislative/Political Director.

“I thought the meetings were fantastic,” said Craig Gilchrist, a BLET state legislative board chairman from Montana. “This recharged our batteries!”

“We feel very good about

See Unity Conference, Page 4

Rail Labor continues fight for Amtrak

The Amtrak Action Alliance, made up of rail labor unions, took the fight for Amtrak funding to Capitol Hill in May. The Alliance held three days of meetings with members of the U.S. House and Senate on May 24-26, urging the legislators to support full funding for the passenger rail carrier.

The lobbying campaign was a part of the Alliance’s ongoing plan to save Amtrak from destruction by both the White House and the railroad itself. During the meetings with the members of Congress, the representatives of the labor organizations urged the members of Congress to support funding for Amtrak, specifically H.R. 1630 and H.R. 1631. H.R. 1630, also known as

The Amtrak Reauthorization Act of 2005, would authorize $2 billion in appropriations for the benefit of Amtrak for fiscal years 2006 through 2009. It was introduced by Represen-

tative Don Young of Alaska, Representative James Oberstar of Minnesota, Representative Steven LaTourrette of

See Amtrak, Page 2

UTU seeks single-craft raid of BLET membership at UP

A desperate act by a desperate union,” Hahs says

The United Transportation Union’s petition for a single craft of operating employees at the Union Pacific Railroad is a reckless effort by a desperate union, said BLET National President Don Hahs on June 3.

UTU’s May 27 petition asks the NMB to order a representation election for the supposedly new craft of “train and engine service employees.”

“This is like 1989 all over again,” said President Hahs, referring to UTU’s attempt to raid BLET at UP using the same arguments seven years ago. “But we beat them before and we will do it again. This is a desperate act by a desperate union.”

The BLET President condemned the UTU leadership for its reckless behavior that can not possibly benefit operating employees.

“The UTU leaders are only concerned with self-preservation of the UTU enterprise, not with representing the best interests of their members,” President Hahs said. “This is an act of desperation on behalf of a union slowly reaching the end of its useful existence. Several negative consequences could be harmful to rank-and-file rail workers if operating crafts are combined and the UTU is allowed to hold a representation election. Does any other rail union believe this will be last attempt to combine crafts if the UTU is successful?”

“A single operating craft could lead to fewer jobs in the rail industry, and possibly combined extra boards and devalued seniority rosters,” Hahs said. “The last time I checked, those things were beneficial to rail management, not rail labor.”

See UTU Reid, Page 6

Collective Bargaining Update

85,000 rail workers from American railroad corporations:

• Brotherhood of Maintenance of Way Employees Division (BMWE);
• Brotherhood of Locomotive Engineers and Trainmen (BLET);
• National Conference of Firemen and Oilers (SEIU);
• Brotherhood of Railroad Signalmen (IBS);
• Sheet Metal Workers International Association (SMWIA);
• International Brotherhood of Boilermakers (IBB); and
• American Train Dispatchers Association (ATDA).

(See a series of articles aimed at keeping members informed during the current round of contract negotiations.)
Representative James Oberstar (D-Minn.) has introduced a bill that would require the Department of Transportation and the Department of Homeland Security to develop and implement plans for addressing the issue of rail security. The purpose of the Rail Security Act of 2005, or H.R. 2531, is to provide for the safety and security of the United States railroads, passengers, workers, and communities. The act also maintains an excellent benefit package including various gains sharing and longevity pay. We were able to secure payments made by the company prior to bankruptcy and possibly spelling the end of Amtrak and other intercity passenger rail service in many of the 46 states now served by the railroad carrier. In April, the Amtrak board put out its own reform plan. The board’s plan is based on three ideas: “uncoupling” Amtrak from intercity passenger rail service and “independently addressing” each route creating a “self-financing grant program” designed to attract increased investment from states and private entities; and “the introduction of competition.” Central to the board’s plan are a pair of labor reforms that would be a disaster for rail labor. First, the board proposed “reducing the 50-day assignment in addition to the $20 premium. We were finally able to get our foot in the door on overtime and the overtime will be paid on an accumulative basis, either at the pro rata or punitive rate of pay, based on a sliding scale for hours worked in excess of 40 hours on a five day assignment and 48 hours on a six day assignment in addition to the $20 premium.” We were also able to establish a basic day provision and payment of the highest rate of pay qualified for whether our member was working in that craft or not.”

Oberstar-stacked bill would provide more than $1 billion to protect against terrorism

New rail security bill introduced in U.S. House

Under the bill, Amtrak will receive $100 million for security upgrades, plus a total of $597 million to make fire and life-safety improvements to tunnels on the Northeast Corridor in New York, New York-Baltimore, Maryland, and Washington, D.C. This funding is critical to protect Amtrak’s 25 million passengers, two-thirds of whom travel along the Northeast Corridor.

The bill authorizes $50 million for the Secretary of Homeland Security to create a research and development program to improve freight and intercity passenger rail security. The Secretary of Homeland Security is also required to develop a national plan for public outreach and awareness and a study on passenger, baggage, and cargo screening. Moreover, the Rail Security Act of 2005 focuses on an issue that security bills often ignore: the importance of ensuring that key workers have the support and training required to protect our rail system, whether those workers are railroad employees or emergency responders.

“Rail workers are truly the eyes and ears of the rail industry,” said Oberstar. “They greet passengers, sell tickets, operate trains, maintain track and signal systems, dispatch trains, operate bridges, and repair cars. They are in the most direct position to spot security risks and potential threats. This bill requires rail carriers to provide security training to these workers to ensure that they are prepared to take appropriate action against threat conditions.”

BLET members are encouraged to call their members of Congress and urge them to support this important piece of legislation.

BLET gets first contract at Louisville & Indiana RR

Less than a year after joining the Brotherhood of Locomotive Engineers and Trainmen, members on the formerly non-union Louisville & Indiana Railroad (L&I) have their first-ever collective bargaining agreement.

The BLET scored its organizing victory at the L&I on May 7, 2004, and the members ratified their new contract by an 80 percent majority on April 1, 2005.

The contract, which extends over the next three years and 10 months, provides many benefits that were unavailable when the short line was a non-union property.

Some key provisions that our members did not previously have are a grievance procedure addressing pay issues, a discipline policy as our members are no longer at-will employees and seniority rules,” said BLET Vice-President Merle Geiger Jr., who led the negotiating team.

“We were able to secure payments made by the company prior to being represented by the BLET (gain sharing and longevity pay). We were able to maintain an excellent benefit package including vacations, holidays, personal leave days, bereavement leave and jury duty. In addition medical, dental and life insurance were maintained with no increases in cost sharing at this time for our members.”

Vice-President Geiger said compensation for overtime was the Brotherhood’s biggest challenge during negotiations. The BLET negotiators team overcame management’s best efforts and secured improvements in overtime rules and pay for the L&I membership.

“The overtime was a very difficult hurdle to overcome as management stated at the beginning of negotiations that they would not entertain overtime in any form,” Geiger said. “L&I paid no overtime because employees were on a daily salary. It did not matter if they worked six hours or 12 — they were paid the same. Workers also did not receive overtime for working on the sixth or seventh day of the week — just a $20 premium. We were finally able to get our foot in the door on overtime and overtime was the Brotherhood’s biggest challenge during negotiations. The BLET negotiators team overcame management’s best efforts and secured improvements in overtime rules and pay for the L&I membership.

“We were also able to establish a basic day provision and payment of the highest rate of pay qualified for whether our member was working in that craft or not.”

Brother Geiger thanked Brother John Mullen, BLET Director of Shortlines, and Dan Hartil, BLET member, for their invaluable assistance during negotiations.

Headquartered in Jeffersonville, Ind., the Louisville & Indiana Railroad was formed in March 1984 to acquire 106 miles of rail line between Indianapolis and Louisville. The line serves numerous major companies and an inland port facility. Since formation, L&I has located a number of new industries to its lines. It has been designated a future high-speed rail corridor by the U.S. Department of Transportation.

The L&I connects with the CP/NS, CSX Transportation, Norfolk Southern, and the PAN. Its annual volume is 15,000 railcars. The primary commodities it handles include: grain, cement, steel, scrap, plastics, food products, auto parts, lumber, chemicals, paper, and manufactured goods.

L&I is owned by the Amstasia Rail Holding, whose other holdings include the New York & Atlantic Railway, Pacific Harbor Line, and the Chicago Southshore & South Bend Railroad. The BLET already represents workers at the Pacific Harbor Line, and operating employees at the New York & Atlantic voted to join the BLET on Nov. 20, 2003.

Rail Labor continues battle to secure full funding for Amtrak

Ohio and Representative Corrine Brown of Florida.

Brown, often known as the Rail Infrastructure Development and Expansion Act for the 21st Century (RIDE 21), establishes authority for states or interstate agencies to apply for funding 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.

These bills counter both the Bush administration proposal and the Amtrak Board proposal. President Bush’s spending blueprint for fiscal 2006 would reduce Amtrak’s federal subsidy to zero from $1.2 billion, probably sending the company into bankruptcy and possibly spelling the end of passenger service in many of the 46 states now served by the railroad carrier.

In April, the Amtrak board put out its own reform plan. The board’s plan is based on three ideas: “uncoupling” Amtrak from intercity passenger rail service and “independently addressing” each route creating a “self-financing grant program” designed to attract increased investment from states and private entities; and “the introduction of competition.”

Central to the board’s plan are a pair of labor reforms that would be a disaster for rail labor. First, the board proposed “reducing the 50-day assignment in addition to the $20 premium. We were finally able to get our foot in the door on overtime and the overtime will be paid on an accumulative basis, either at the pro rata or punitive rate of pay, based on a sliding scale for hours worked in excess of 40 hours on a five day assignment and 48 hours on a six day assignment in addition to the $20 premium.” We were also able to establish a basic day provision and payment of the highest rate of pay qualified for whether our member was working in that craft or not.”
Canadian National Railway

Canadian National Railway (CN) reported a net income of $298 million for the first quarter ended March 1, 2005, an increase of 42 percent from year-earlier net income of $210 million. CN also reported revenues of $1.76 billion, an increase of 10 percent, and an increased operating income of $326 million, up 33 percent over first quarter 2004.

Commodity groups that registered revenue gains during the quarter were metals and minerals (49 percent); forest products (26 percent); intermodal (26 percent); coal (18 percent); petroleum coke; and grain and fertilizers (eight percent). Automotive revenues declined by six percent.

CN’s first-quarter 2005 performance benefited from $121 million in revenues from the rail and related holdings of Great Lakes Transportation LLC (GLT) and BC Rail, whose operations CN consolidated on May 10, 2004, and July 14, 2004, respectively. CN also recorded a $35 million charge in 2004. The Surface Transportation operating income, driven by a 10 percent increase in revenue and better cost discipline. On a comparable basis, adjusting for the 2004 management restructuring charge, Surface Transportation operating income for 2005 increased $147 million.

Surface transportation operating income was a record $351 million versus $151 million a year ago, which was reduced by a $33 million management restructuring charge in 2004. The Surface Transportation operating income, driven by a 10 percent increase in revenue and better cost discipline. On a comparable basis, adjusting for the 2004 management restructuring charge, Surface Transportation operating income for 2005 increased $147 million.

The railroad’s operating ratio for the quarter was 83.3 percent, a 3.3-percentage point improvement over first-quarter 2004 performance.

Canadian Pacific Railway

Canadian Pacific Railway reported net income of $81 million in the first quarter of 2005, more than tripling first-quarter 2004 net income of $24 million. Some of the highlights for CPR’s first quarter 2005 include: Operating income up 54 percent to $179 million; revenue up 14 percent to $1.641 million, a first-quarter record; operating expenses up 6 percent; and operating expenses up just 4 percent excluding the impact of significantly higher fuel prices.

CPR expects to grow revenue in the range of 12 percent to 14 percent in 2005. Diluted earnings per share, excluding foreign exchange gains and losses on long-term debt and other specified items, are expected to be between $3.15 and $3.25, assuming oil prices averaging US$55 per barrel and the average exchange rate of $1.23 per U.S. dollar ($US0.81). Revenue growth was strong across CPR’s entire bulk commodity sector, compared with first-quarter 2004, led by coal and grain, which increased 44 percent and 25 percent, respectively.

CPR also boosted an operating ratio of 82.4 percent, a 4.5-percentage-point improvement over the same quarter of 2004.

Kansas City Southern

Kansas City Southern (KCS) reported first quarter 2005 financial results that show substantial quarter-over-quarter gains in revenues and operating profit.

Driven by record revenues from KCS’ domestic rail operations, which are comprised of KCSR and Mexrail, Inc., and its subsidiary, The Texas Mexican Railway (Tex Mex), totalled $108.6 million. Total operating expenses were $168.1 million. Operating income for the quarter ended March 31, 2005, was $28.5 million.

KCSR’s first quarter operating income was $28.7 million, an increase of $6.2 million over 2004. KCSR’s operating ratio for the quarter was 83.4 percent, a slight improvement over 84.9 percent for the first quarter of 2004.

Union Pacific Corp.

Challenged by high diesel fuel prices and service slowed by a West Coast storm and high demand, Union Pacific Corp. on Thursday reported a 22 percent drop in its first quarter net income compared with the same quarter last year.

Net income dropped to $128 million, or 48 cents a share, in the three-month period, compared with $165 million or 63 cents a share in the same period last year. Union Pac- fice reported record operating revenue of $3.2 billion in the first quarter of 2005 compared to last year’s $2.9 billion. Operating income in the first quarter of 2005 was $313 million compared to $314 million for the same period in 2004.

Commodity revenue was a first quarter record of $3.0 billion, up 8 percent, compared to $2.8 billion in 2004. Drivers of the increase were a 1 percent in-crease in volumes as well as higher fuel surcharge recoveries and improved yields. First quarter 2005 average revenue per car was at an all-time high of $1,290 per car; versus $1,214 in the first quarter of 2004.

The operating margin decreased to 9.1 percent in the first quarter of 2005 from 10.9 percent in 2004, primarily due to the impact of the January storm and higher fuel prices.

The Railroad’s average quarterly fuel price of $1.45 per gallon compares to $1.02 per gallon paid a year ago.

Although affected by the January storm, quarterly average system speed, as reported to the Association of American Railroads, averaged 21.1 mph, 0.8 mph slower than the first quarter of 2004, but 0.6 mph higher than the prior quarter.

The railroad’s operating ratio for the quarter was 90.1 percent in the first quarter of 2005, compared to 90.1 percent in the first quarter of 2004.

“Demand for our services remains strong and our task is to leverage that strength into better bottom-line results,” said UP Chairman and Chief Executive Officer Dick Davidson. “As we continue to restore fluidity to our network, our customers, our employees and our shareholders will benefit.”
In an exclusive interview, FRA answers BLET questions about new locomotive engineer duties

The Federal Railroad Administration published its Final Rule on the use of Locomotive Horns in the April 27 Federal Register. Locomotive engineers need to be on the lookout for instructions from their railroad regarding compliance with the new regulation for sounding train horns.

The final rule will require the locomotive horn to be sounded while trains approach and enter public highway-rail grade crossings. The rule allows for an exception to the above requirement in circumstances in which there is not a significant risk of loss of life or serious personal injury, use of the locomotive horn is impractical, or safety measures fully compensate for the absence of the warning provided by the locomotive horn.

**Q&A on new train horn regulations**

1. How effective do you think this rule will be in making our communi-
ties more livable?

First and foremost this is a safety rule, but we are optimistic that this rule will probably reduce the conflicts that are growing up between railroads and communities over noise from rail-
road operations. Locomotive engineers regularly get caught up in that conflict, because they have a duty to warn, and many residents simply do not understand the need for the warning. We think these aspects of the rule will help.

2. Will FRA do if they find that accidents increase at a cross-
ing or crossings in a Quiet Zone?

We are going to see numbers go up, and down, on the location, in special circumstances and random fac-
tors. Fortunately when you look at the exposure and number of public cross-

3. Has FRA considered including locomotive engineers as participants in a “diagnostic team” used to deter-
mine the suitability of crossings for Quiet Zone designation? Would it recommend to State Agencies that we be considered for our expertise on that team?

I think involving train and engine

4. What will FRA do if they find that accidents increase at a cross-
ing or crossings in a Quiet Zone?

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tors. Fortunately when you look at the exposure and number of public cross-

5. Could you describe the circum-
stances allowing or requiring the locomotive engineer to sound the horn regardless of the restrictions of a Quiet Zone?

First, the subject matter of the rule is sounding the horn at public high-
way-rail crossings, so it doesn’t affect other uses like warning roadway work-

6. The temporal (time interval) re-
quirement is 15 to 20 seconds of warn-
ing before reaching the crossing when traveling less than 45 mph will replace the railways’ operating rule and many State laws. What pres-
visions will FRA make to ensure that the railroads give an advance marker for the engine to determine the loc-
ation of the crossing?

We are recommending that rail-
roads retain — and maintain — whistle posts as they have in the past. Most whistle posts have been placed at 1/4 mile. If the train is going more than 45 mph, the horn should be sounded at that point or within 5 seconds. If the train is going slower, then the pattern will be started later. Engineers know their ter-
ritory and how fast they are going, and our belief is that locomotive engineers will find that they adapt to this pretty readily.

7. Will locomotive engineers be subject to monetary penalties for violations?

There is always the potential for a civil penalty for a willful act. I’m not ex-
pecting that to happen. In our experi-
ence, locomotive engineers do a good job alerting the public at grade cross-
ings. Perhaps they are more aware than many other employees, because we require the train and engine crew members understand the importance of this warning.

If we have to use a penalty to change behavior we are doing, in response to horn use at crossings, we will. But, again, I would be very surprised for that to become an issue.

8. Will the 15 to 20 seconds time interval be enforced should the engineer sound the horn for longer than 20 seconds?

We need to specify a range that does two things. First, this establishes the end we have to provide at least minimum warning. We believe 15 seconds will handle that, but locomotive engineers will need to be provided the minimum warning. Second, we want to provide a maximum to emphasize that this is a nuisance when it goes on longer than 15. Second, if we had an engi-
neer who abused the use of the horn repe-
tedly and deliberately and a cau-
tionary discussion did not have the de-

9. How does the rule apply to pri-
ate and pedestrian crossings?

The rule does not deal with private and pedestrian crossings outside of quiet zones, so what use is made of the horn today would continue with out-

change. The rule does require that the safety of private and pedestrian cross-
ings within quiet zones be considered by the diagnostic team in forming plans for the quiet zone. Taking into consid-
eration the concerns from railroad indus-
try parties, including your organiza-
tion, we wanted to make sure that angle was covered.

Executive Officer: Grady Cole, Deputy Associ-
ate Administrator for Safety Stan-
dards and Program Development of the Federal Railroad Administra-

tion. This Q&A is intended to help locomotive engineers understand the new regulations that go into effect June 25 regarding train horns and quiet zones.

**FRA issues final rule on locomotive horns**

_The Federal Railroad Administration published its Final Rule on the use of Locomotive Horns in the April 27 Federal Register._

Locomotive engineers need to be on the lookout for instructions from their railroad regarding compliance with the new regulation for sounding train horns.

**Communities that qualify for this exception may create “quiet zones” within which locomotive horns would not be routinely sounded.**

The effective date of this final rule is June 24, 2005. However, pub-
lic authorities may begin to provide quiet zone-related documentation to FRA and other parties 30 days after April 27, 2005. This final rule supersedes the interim final rule, which was published on December 18, 2003. Therefore, the interim fi-
nal rule is not to take effect.

A complete copy of the Final Rule is available on the Internet at:

http://a257.g.akamaitech.net/7/257/2423/0/ja/r200381800/}

coderocket.access.gpo.gov/2005/05/2851.htm •

See FRA Q&A, Page 5
10. In the event of an accident, will locomotive engineers be held liable if they fail to sound the horn at a crossing in a Quiet Zone crossing? The official answer is that the courts will decide, but I would be shocked if any court held a locomotive engineer liable for failing to sound the horn at a crossing in a quiet zone, and if it ever happened I would expect it to be quickly overturned on appeal.

The rule defines the standard of care for the railroad, including the locomotive engineer, and for the community. If the rule says the locomotive engineer will withhold the audible warning within the quiet zone, that’s that.

11. Does this Final Rule bring additional liability to locomotive engineers for failure to sound the horn at non-quiet zone crossings? Most States have had laws requiring horn sounding at public crossings, and this just replaces them. Even where there has been no state law, the operating rules have in effect established a standard of care. So, in general, no, I don’t think it puts locomotive engineers in a more difficult position.

12. The Final Rule mentions PTC. Has FRA considered malfunctions of a horn system associated with on-board train control? The system is designed to be in sound- ing the horn into a train control sys- tem they would need to treat it as a safety critical function. Certainly in looking at any product safety plan (under the new rule on Performance Stan- dards for Processor-Based Signal and Train Control Systems) we would focus on this level of safety. What recourse is available to someone who disagrees with a decision to approve a SSM or ASM? The issues that will arise will be around modified SSMs and ASMs, and the degree of public notice. We agree with the initial decision may petition for reconsideration, which may trigger additional proceedings. If one of those parties remains unsatisfied after reconsideration, the party could petition for review before any Federal court of appeals.

15. How is the public, or in our case, locomotive engineers, provided an opportunity to comment on a proposed Quiet Zone when the Associ- ate Administrator is requested to approve the Quiet Zone after there is agreement among all the other in- terested parties (railroads, local and State jurisdictions, law enforcement, and private land owners)? We can’t turn each of these into a full-blown rulemaking or waiver pro- ceeding. If one of our parties remains unsatisfied, the system is set up to make things as simple as reasonably pos- sible. Having said that, BLET knows our grade crossing managers in the field and our staff here in headquarters.

If there are concerns that working lo- comotive engineers have about these budding quiet zones, please don’t hesi- tate to step forward.

16. Wayside horns under sub- section 222.59 and Appendix E re- quire that the engineer be given ad- vance warning that the wayside horn is operating. How will this be accompli- shed? The wayside horn set-up includes a monitor for the engineer with a visual (orange LED, “X” shape) that tells the engineer that the system is active. If it is not displayed, then the engineer will know to sound the horn.

17. Will the maximum decibel level decrease the incidence of hear- ing loss among train crews? Was the hearing loss issue taken into account during the writing of this rule? In the past, we had a minimum horn level in the Locomotive Safety regulat- ions, but did we not have a maxi- mum. So where the horn exceeds the new maximum it will have to be turned down. I don’t think we are going to see a dramatic reduction in cab noise level- s, but both the maximum level and the time-based pattern should help to re- duce the noise “dose.” BLET is a val- ued member of the Railroad Safety Advisory Committee effort on Cab Noise, which has provided recommen- dations for a final rule for Occupational Noise Exposure of Railroad Operating Employees that was adopted by the full RSAC on May 18. FRA is preparing the final rule in accordance with those rec- omendations, and it should contribute further to hearing conservation in this industry.

18. Locomotive engineers have experienced trauma following grade crossing accidents. What is FRA doing to address this problem? Nearly 1000 fatalities occur annu- ally from trains striking motor vehicles and individuals along the track. These events can be very traumatic to train crew members who are powerless to prevent the collisions. Work-related traumas such as these can cause ex- treme stress, resulting in Post-Trau- matic Stress Disorder (PTSD) or Acute Stress Disorder. It can affect safety as well.

FRA believes that employee expo- sure to workplace trauma from grade crossing and trespasser incidents may be an important issue affecting railroad workers. Many railroads have already established what are known as Critical Incident Stress Debriefing (CISD) programs in the rail industry and led in their approach, and it is not cer- tain which components of those pro- grams are most effective.

Supplementary Safety Measures
Appendix A describes the approved
standards for Processor-Based Signal and
Train Control Systems (we would focus
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GIA Dialogue By Onita Wayland International President Grand International Auxiliary

Like the GIA, I have been around a while — not quite 118 years, but a while. As with anything, when times change, we must change with them. The needs change, like our lives, re-
quire re-tooling every so often. A positive change is what we see on the horizon for the GIA. We have en-
joyed many years of friendship and fellowship with our sisters and brothers, but we need to embrace and adapt to the new challenges that have occurred since the GIA began in 1887. The railroads have “super-
ized,” creating a tougher, more impersonal working environment. On a more positive note, rail labor
unions have begun to merge, with more possibly on the way, creating better bargaining positions and in-
creasing political clout. The current make up of Wash-
ington, D.C., and the various state houses have in-
creased our need for vigilance and unity to make sure that railroad workers’ rights do not erode any fur-
ther.

When I was elected Interna-
tional President in 2001, the motto of my administration was “Growing, Advancing with Integrity into the New Millen-
num.” I believe we have made enormous strides in continuing to improve and promote changes in our organization that are ben-
eficial to our members and our

GIA, BLET facing new frontiers in the 21st Century
Planning to work after you retire?

Railroad Retirement Board provides key information you need to know now

1. What are the basic railroad retirement work restrictions and earnings limitations that apply to post-retirement work?

   Neither a regular railroad retirement annuity (whether based on age and service or on disability) nor a supplemental annuity is payable for any month in which a retired employee works for a railroad employer, including labor organizations. This is true even if only one day’s service is performed during the month and includes local lodge compensation totaling $25 or more for any calendar month.

   A spouse annuity is not payable for any month in which the employee’s annuitant works after retirement, or for any month in which the spouse works for an employer covered under the Railroad Retirement Act. A survivor annuity is not payable for any month in which the spouse works for an employer covered under the Railroad Retirement Act.

   Like social security benefits, rail-road retirement tier I benefits and vested dual benefits paid to employees and spouses, and tier I, tier II and vested dual benefits paid to survivors are subject to deductions if an annuitant’s earnings exceed certain exempt amounts.

   These earnings deductions do not apply to those who have attained full social security retirement age. Full retirement age for employees and spouses ranges from age 65 for those born in 1960 or later. Full retirement age for survivor annuitants ranges from age 65 for those born before 1940 to age 67 for those born in 1962 or later. Full retirement age for employees and spouses who attained full retirement age in 2005, the exempt earnings amount is $12,000. For beneficiaries attaining full retirement age in 2005, the exempt earnings amount is $21,900 for the months before or after the month full retirement age is attained.

   For those under full retirement age throughout 2005, the deductible earnings amount is $1 for every $2 of earnings over the exempt amount. For those attaining full retirement age in 2005, the deduction is $1 for every $3 of earnings over the exempt amount in the months before the month full retirement age is attained.

   Earnings received for services rendered, plus any net earnings from self-employment, are considered when assessing deductions for earnings. Interest, dividends, certain rental income or income from stocks, bonds, or other investments are not considered earnings for this purpose.

   Additional deductions are assessed for self-employed contractors or consultants, his or her annuity is subject to be functioning as an employee of a nonrailroad employer.

   The deductions in the tier II benefit are $200 in any employment or self-employment. Earnings in excess of $2,000 in any employment or self-employment, withheld payments will be restored if earnings for the year are less than $5,000. Otherwise, the annuity is subject to a deduction of one month’s benefit for each multiple of $200 earned over $4,000 (the last $200 or one half of earnings over $4,000 counts as $400). However, regardless of the amount of earnings, if a disabled annuitant works after retirement, this also raises the question about the possibility of that individual’s recovery from disability, and such work must be reported.

2. What are the current exempt earnings amounts for these annuitants subject to earnings limitations?

   For those under full retirement age throughout 2005, the deductible earnings amount is $1 for every $2 of earnings over the exempt amount or more of earnings over $4,800 counts as $400. However, regardless of the amount of earnings, if a disabled annuitant works after retirement, this also raises the question about the possibility of that individual’s recovery from disability, and such work must be reported.

3. What are the additional deductible earnings amounts for the annuitants subject to earnings limitations?

   The amount disabled railroad retirement annuity payments, which are not otherwise subject to earnings deductions, but for the earnings of the employee, regardless of whether the earnings are from work as a self-employed contractor, his or her annuity is subject to tier I and vested dual benefit earnings deductions. Nonetheless, the tier II and supplemental annuity deductions continue to apply after the attainment of full retirement age.

4. Can a retired employee’s earnings also reduce a spouse’s benefit?

   A spouse’s benefit is subject to reductions not only for the spouse’s earnings, but also for the earnings of the employee, regardless of whether the earnings are from work as a self-employed contractor, his or her annuity, and if so, who the Board considers to be the actual employer for Railroad Retirement purposes.

5. What are the special earnings restrictions applied to disability annuitants?

   The amount disabled railroad retirement annuity earnings, but also for the earnings of the employee, regardless of whether the earnings are from work as a self-employed contractor, his or her annuity is subject to tier I and vested dual benefit earnings deductions. Nonetheless, the tier II and supplemental annuity deductions continue to apply after the attainment of full retirement age.

   These disability work restrictions apply until the disabled employee annuitant is full retirement age. This transition is effective no earlier than full retirement age, even if the annuitant had 30 years of service. Earnings deductions continue to apply to those working for their last pre-retirement nonrailroad employer.

6. After becoming entitled to a railroad retirement annuity, a retired employee is thinking of becoming a self-employed contractor or consultant, and might be providing services for a railroad or last pre-retirement nonrailroad employer. How would this affect his or her railroad retirement annuity?

   It depends on whether or not the Railroad Retirement Board considers the employee to be truly engaging in self-employed contracting or consulting, or whether the Board considers the retiree to be functioning as an employee, and if so, who the Board considers to be the actual employer for Railroad Retirement purposes.

7. How can individuals get more information about these railroad retirement work restrictions and earnings limitations?

   They should contact the nearest field office of the Board for information or refer to the Board’s Web site at www.rrb.gov.

   Retirees, and those planning retirement, should be aware of the railroad retirement laws governing benefit payments to annuitants who work after retirement.

   The following questions and answers describe these railroad retirement work restrictions and earnings limitations that apply to post-retirement work.

   Retirees, and those planning retirement, should be aware of the railroad retirement laws governing benefit payments to annuitants who work after retirement.

   Retirement age ranges from age 65 for those born before 1940 to age 67 for those born in 1962 or later. Full retirement age for employees and spouses who attained full retirement age in 2005, the exempt earnings amount is $12,000. For beneficiaries attaining full retirement age in 2005, the exempt earnings amount is $21,900 for the months before or after the month full retirement age is attained.

   For those under full retirement age throughout 2005, the deductible earnings amount is $1 for every $2 of earnings over the exempt amount. For those attaining full retirement age in 2005, the deduction is $1 for every $3 of earnings over the exempt amount in the months before the month full retirement age is attained.

   Earnings received for services rendered, plus any net earnings from self-employment, are considered when assessing deductions for earnings. Interest, dividends, certain rental income or income from stocks, bonds, or other investments are not considered earnings for this purpose.

   Additional deductions are assessed for self-employed contractors or consultants. If the retiree is considered to be functioning as a self-employed contractor or consultant, his or her annuity would be subject to reduction. If the retiree is considered the employee of a railroad employer, the retiree’s annuity would be subject to earnings deductions for nonrailroad wages, and to additional deductions if he or she is considered to be functioning as a self-employed contractor or consultant.

   Board determinations on contracting or consulting services take into account multiple factors which could be evaluated differently depending on the circumstances of the individual situation. Since no single rule covers every case, anyone requiring a determination as to whether contractor or consultant services is valid self-employment should contact the Board for a determination well in advance of making a commitment so as to be sure of the effect on benefit payments.

   These disability work restrictions apply until the disabled employee annuitant is full retirement age. This transition is effective no earlier than full retirement age, even if the annuitant had 30 years of service. Earnings deductions continue to apply to those working for their last pre-retirement nonrailroad employer.
Opinion: UTU misrepresented BLET agreements during recent BNSF strike

BLET, PHL reach contract agreement

Pacific Harbor Line, Inc. (PHL) and the Brotherhood of Locomotive Engineers and Trainmen (BLET) have signed a new four-year labor agreement covering PHL’s operating and maintenance of way employ- ees. Signed May 12 after a year and a half of negotiations, the pact substantially increases em- ployees’ base rates of pay; provides paid annual leaves of absence for extended hours, enhances eligibility to the 401K plan, and provides a signing bonus and other improvements.

BLET’s Division 214 in Long Beach, Calif., has represented PHL’s employ- ees since the railroad was formed in 1908. Union employment has grown from 27 employees ini- tially to nearly 100 in the past seven years.

PHL President Andrew Fox said, “The union was determined, but also re- alistic in helping us to get this agreement done. Our employees have earned these contract improve- ments by building this company. At the same time, our customers will benefit from the flexibility and productivity fea- tures covered by the new pact.”

“It took us three years to get this agreement right,” said BLET General Chair- man Pat Williams. “But in the end, the company made some essential changes, which allowed us to achieve ratification.”

Besides General Chair- man Williams, the BLET would like recognize the invaluable efforts of Vice President Steve Speagle and Division 214 Presi- dent Marion Taylor and Local Chair- man Alvin Sykes. The PHL negotiating team included Andrew Fox and Vice President Bill Roufs.

The BLET is a member of the Rail- Conference of the International Brother- hood of Teamsters and represents more than 90,000 employees in the United States. Its predecessor union, the Brotherhood of Locomotive En- gineers, was the senior national labor or- ganization in the United States and also North America’s oldest rail labor union. PHL provides railroad switching services to customers in the Ports of Seattle, Long Beach and Los Angeles. It also dispatches all BNSF Railway and Union Pacific trains within the ports. PHL is a subsidiary of Anacostia Rail Holding. PHL operates local and regional freight railroads.

BLET NEWS

BLET NEWS

NEWS BRIEFS

New reporting forms available for BLET Divisions, SLBs, GCAs

Under the Constitution of the International Broth- erhood of Teamsters, all subordinate bodies are re- quired to perform a monthly audit.

Beginning in June, all BLET general committees of adjustment, state legislative boards and local divi- sions should begin completing a monthly audit to comply with the IBT Constitution. To assist with the audit, the National Division has prepared a new report form known as a “Trustees/ Auditing Committee Report.” A copy of the report can be downloaded and printed here:

http://www.blet.org/pr/pdf/dvtrust.pdf

BLET Bylaws provide that divisions will be au-
dited by “trustees” of the division. The vice president, local chairman and legislative representative are des- ignated as “trustees” by the Bylaws.

The general committees and state legislative boards should be audited

BLET Job Bank: Amtrak

Amtrak is recruiting Locomotive Engineers to work in Miami, Orlando, Jacksonville, Florence, S.C. or Raleigh, N.C.

Duties include the safe operation of Amtrak loco- motive crews, compliance with operating orders, and sig- nals, railroad operating rules, special instructions, federal, state and local regulations to transport pas- sengers and equipment safely and efficiently.

Locomotive engineers must perform air brake tests as required and must frequently monitor vehicles and critical decisions under stressful conditions.

Candidates must have a current Class I Engineer Certificate and must currently be working as a Locomotive Engineer with one year of service. Candidate tests—automatically disqualified if their driving record indicates a conviction on an alcohol or sub- stance violation or a refusal to submit to testing in connection with a moving violation with the past 36 months. Candidate tests—automatically disqualified if their driving record indicates a conviction on an alcohol or sub- stance violation or a refusal to submit to testing in connection with a moving violation with the past 36 months. Candidates are not required to pass the Hogan Personality Inventory Test.

Interested candidates are asked to fax their re- sumes as soon as possible to the attention of Sarah Ray at (202) 906-3349. (ROE, FM, DT — Amtrak is an equal employment opportunity employer).

(continued on next page)
May 2005 Calendar & Events

June 12-17, 2005... 78th Annual Southeastern Meeting Association, Montgomery, Ala. Hosted by Brother David Brown and the members of BLET Division 74, the 78th annual SMA 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) 269-5050.

June 26-30, 2005... 67th Annual Eastern Union Meeting Association, Saratoga Springs Hosted by Arrangements Chairman Bill Kearing and the members of Division 46, 67th annual EUMA will be held at the Prime Hotel Saratoga Springs, 534 Broadway, in Saratoga Springs. Brother Kearing reports that the hotel is now accepting early-bird reservations by calling (518) 584-8000 or (888) 999- 4711. Members should ask for the EUMA rate when making reservations, which is $126 per night. Brother Kearing can be contacted at (518) 489-2970 or <bklearing@verizon.net>.

July 3-8, 2005... 65th Annual International Convention, Calgary, Alberta Hosted by Mike Linkletter and the members of BLET Division 355, the 65th annual ITC will be held at the Fairmont Palliser, 133 9th Ave. SW, in Calgary, Room rate is $114 per night (Canadian). For details, contact Brother Linkletter at <blet355hip@ymail.com>.

July 10-15... Hazmat Training Workshops, National Labor College, Silver Spring, Md. Weapon of Mass Destruction awareness training is now part of the five-day hazardous waste/chemical emergency response training offered at the George Meany Center/National Labor College. The workshop also covers OSHA and DOT required procedures and different levels of response and worker protection in case of a hazardous materials emergency or release. Training includes advanced class- room instruction, hands-on practice on drills and a simulated hazmat response in full safety gear. To register, call (301) 499-2440 or e-mail: crpeters@georgemeany.org.

October 2-6, 2005... 79th Annual Southwestern Convention Meeting, Oklahoma City Hosted by John Salisbury and the members of BLET Division 141, the 79th annual SCM will be held at the Renaissance Oklahoma City Convention Center Hotel, (405) 228-8000 or (908) 486-3571. More details to come when available.

You've got to fight for your rights!

Since voting to merge the BLE with the Teamsters 18 months ago, our union has made great strides towards strengthening rail labor. One example is the Rail Labor Bargaining Coalition (BLBC), a BLET-led coalition comprising the BLET, Brotherhood of Maintenance of Way Employees and five other rail unions.

The BLBC has already been meeting with the rail carriers and has submitted a petition that we will hear the crew reductions that the carriers have forced upon us and the very long hours that you face every day. Part of the reason you voted to merge was for a safer workplace and I can assure you of our fight for your right to that everyday.

We are aggressively lobbying our U.S. congressmen on your behalf. In past years, the rail carriers such as Union Pacific, Norfolk Southern and others have had the upper hand with Congress. This caused the regulatory body of the railroads, the Federal Railroad Administration (FRA), to listen more to rail carrier lobbyists than to the people who work on the rails. But we are working to change that dynamic.

Since the beginning of this year we have held several lobby days in Wash- ington, D.C., where rank and file members and state legislative representa- tives from both the BLET, the Broth- erhood of Maintenance of Way Employees and our government affairs department have met with Congressmen and their staff to explain the need for Amtrak funding and the affects of lax rail regulatory standards. The halls of Capitol Hill are very familiar to the Teamsters Union and we are here to represent you.

By standing together we are growing rail labor strength. A safe work- place is your right as a working man or woman in America. We will fight for your right to it! Stay United, Stay Strong!

JIM HOLFA
IBT General President

Advisory Board March Activity

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

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JIM HOLFA
IBT General President

Teamsters Disaster Relief Fund offering assistance in Pa., N.Y. and N.J.

The Teamsters Disaster Relief Fund recently received a Disaster Alert Notice for the states of Pennsylvania, New York and New Jersey due to se- vere storms and flooding that caused major damage in early April.

BLET members in the following New York counties are eligible for assis- tance, Bergen, Essex, Gloucester, Hunterdon, Mercer, Morris, Passaic, Salem, Somerset, Sussex and Warren.

Members in the following New Jersey counties are eligible: Bergen, Essex, Gloucester, Cumberland, Hunterdon, Mercer, Morris, Passaic, Salem, Somerset, Sussex and Warren.

While funds are limited, the Team- sters would like to help as many people as possible. If you were impacted by the storms, please download and complete the “Request for help” form by Thurs- day, May 26, 2005. For a PDF of the form, go to http://blet.org/pr/pdf/bldis.pdf.

The IFT is also asking for contri- butions to provide assistance to mem- bers in Pennsylvania, New Jersey and New York.

We ask you to send a donation to the Fund to ensure everyone who is in need gets support and help. Send your check to:

The Teamsters Disaster Relief Fund
25 Louisiana Avenue, NW
Washington, DC 20001

Contributions are tax deductible.