LOCOMOTIVE NEWSLETTER - JUNE 2001

BLE Advisory Board reconsiders resolution that ended unification talks with UTU

At a special meeting of the Brotherhood of Locomotive Engineers (BLE) Advisory Board held in Cleveland on June 11, a resolution was passed that opens the possibility of renewing unification talks with the United Transportation Union (UTU) contingent on both unions immediately stopping all solicitation of each others members.

In essence, the 120-word resolution says that the 13-member Advisory Board is reconsidering its May 8, 1999, resolution that ended unification talks with the UTU because of serious financial concerns.

The Advisory Board's June 11 resolution says that "the negotiations between the BLE and UTU be reinstated as of their status on May 8, 1999, subject to both UTU and BLE updating and providing the financial information necessary..."

In addition, the resolution says that upon the favorable conclusion of discussions that any agreement reached by the parties shall be immediately submitted to the memberships of the BLE and UTU for ratification and approval.

"The Advisory Board stepped up and made a tough decision under the circumstances, in the hope that this is a positive step forward," said BLE International President Edward Dubroski.

"We did what we thought was right for the BLE on May 8, 1999, and we are doing what is right for the BLE today. By this decision, the future will be in the hands of the members, where it rightly belongs."

The reasoning behind the Advisory Board decision is explained in a letter that was mailed to all active BLE members the week of June 18.

Leaders of the UTU welcomed the possibility of renewed unification talks with the BLE. "(W)e are happy to resume the unification process because it is the right thing to do for the membership of both unions," said UTU President Byron A. Boyd Jr.

The complete resolution reads as follows:

"Advisory Board Resolution, June 11, 2001 "Be it Resolved:

"THAT the May 8, 1999, Resolution of the Advisory Board is hereby reconsidered and upon Reconsideration is dissolved;

"THAT the negotiations between the BLE and the UTU be reinstated as of their status on May 8, 1999, subject to both UTU and BLE updating and providing the financial information necessary, prudent and required for continued discussions;

"THAT upon favorable conclusion of said discussions, any agreement reached by the parties shall be immediately submitted to their respective memberships for ratification and approval; and

"THAT said discussions are contingent upon both parties immediately terminating solicitation of members from one another and ceasing any organizational efforts against each other on all railroads currently represented by either UTU, BLE or both." •

Senate switch may help S. 697

Democrats take control of Committees

The Railroad Retirement and Survivors' Improvement Act of 2001 (H.R. 1140, S. 697) continues to garner support, and receive further support from an unlikely mid-year switch of power to the Democrats in the Senate.

Not only is the bill continuing to gain cosponsors in the U.S. Senate, its passage has been urged by many state legislatures around the country (see page 2).

S.697 currently has 66 members of the Senate signing on in support. With one more cosponsors, it will be able to withstand a Presidential veto. A bill needs two-thirds of the Senate, or 67 members, to be considered veto-proof.

The exit of Senator Jim Jeffords (I-VT) from the Republican party may also help get this much needed legislation passed by the Senate. His move to Independent status gives the Democrats a 50-49 majority. With Democrats now in the majority, they took control of the various committee chairmanships, should make it easier to get S. 697 to the Senate floor for a vote. It stalled last year at this juncture when three Republican Senators used procedural means in the Republican-controlled Senate to keep it from going to the floor for a vote. New Senate Finance Committee chairman Max Baucus (D-MT) is a cosponsor of the measure, which should help move the bill out of the committee and onto the floor.

In the House, the bill has been marked-up by the House Transportation & Infrastructure Committee, but is awaiting approval by the House Ways and Means

See Railroad Retirement, Page 8

BLE announces formation of **Retired Members Association**

At the International Western Convention held in Denver, **BLE International President** Edward Dubroski on May 31 announced the formation of the union's Retired Members Association (RMA).

"The Retired Members Association will provide retired BLE members an organized voice on the key issues of the day, and will work with the AFL-CIO and its new Alliance of Retired Americans," said Dubroski. "But, most importantly, the BLE Retired Members' Association will be composed of, by and for retired BLE members."

In order to get the RMA up and running, Dubroski has asked former BLE International President Ron McLaughlin to act as Interim Chairman of the group.

"There are more than 20,000 retired BLE members in the United States and Canada," said McLaughlin. "Up to this point, we haven't

had the ability to speak with a single, unified voice on the issues that concern us. The Retired Members' Association will enable us to join together and — as an active part of the BLE — fight as a unified force to advance our common inter-

Recently, the AFL-CIO announced the formation of the Alliance of Retired Americans (ARA) in an effort to organize

See Retired Members, Page 3

BLE member wins Hammond safety award

A.R. "Rudy" Bilka, a locomotive engineer and member of BLE Division 730 (Altoona, Pa.), was awarded this year's Harold F. Hammond rail safety award on May 2.

Two other locomotive engineers and BLE members were also honored for their commitment to safety. Brother Randy C. Caldwell of Division 636 (Silsbee, Texas) and David K. Roth of Division 232 (Laurel, Mont.) were two of five finalists presented with Certificates of Commendation for

their work in enhancing safety.

Brother Bilka, who works in Norfolk Southern's Pittsburgh Division out of Altoona, Pa., has been employed for 31 injury-free years in the railroad industry.

BLE Interna-Bilka tional President Edward Dubroski congratulated these Brothers for their hard work and dedication, which led to their recognition.



"All BLE members should be proud of the accomplishments of Brothers Bilka, Caldwell and Roth in enhancing safety," Dubroski said. "It is especially gratifying to see a friend, like Rudy Bilka, so honored. Rudy served the membership of Divi-

sion 730 with distinction as a Local Chairman for many

See **Hammond Award**, Page 8



LEGISLATIVE UPDATE

H.R 1024 would repeal carrier diesel fuel tax

Congressman Kenny Hulshof (R-MO) introduced H.R. 1024, the Transportation Tax Equity and Fairness Act, which would repeal the 4.3-cent diesel fuel tax on railroad and inland waterway transportation.

H.R. 1024 currently has 40 cosponsors. The Senate bill, S. 661, has 12 cosponsors. If the diesel fuel tax is repealed, railroad industry profits would increase by \$170 million annually.

However, momentum for this legislation has been slowed somewhat as a result of a letter sent to all Senators by the Rail Labor Division of the Transportation Trades Department of the AFL-CIO, opposing the repeal. •

Senate bond bill could generate \$12 billion for Amtrak over 10 years

Legislation to allow Amtrak to raise \$12 billion over the next 10 years by issuing high-speed rail bonds was introduced in the Senate.

The bill, S. 250, provides Amtrak federal assistance by providing tax credits to bondholders instead of Amtrak paying interest. Local governments would be required to provide a 20-percent match for rail service improvements in their states. Currently, S. 250 has 57 cosponsors. •

Railroad passenger bill gets House approval

Legislation that would require National Transportation Safety Board staff to provide assistance to families of rail passengers killed in train crashes passed the House by a vote of 404 to 4. The bill (H.R. 544) is similar to a law enacted to help relatives of plane crash victims. The measure also specifies response procedures for Amtrak, including providing a toll-free number to handle calls, notifying relatives, and providing a list of passengers as quickly as possible to the NTSB family liaison. •

Report shows economic impact of railroads

The Association of American Railroads has released its 1999 data showing the economic impact of the railroad industry for all states except Alaska, Hawaii and Rhode Island.

The data includes the total monetary contribution made by freight railroads to state economies through wages and retirement benefits to railroad workers, and freight tonnage originated and terminated in each state by commodity. In addition, each state is ranked by the number of freight railroads operating in the state, by the number of rail miles operated in the state and by rail traffic.

The information is available under the "Resource Library" section of the AAR's website, www.aar.org. •

Railroad Retirement Board trust funds get stronger, report says

The RRB released its 2000 Annual Report which covers the fiscal year ended September 30, 1999. Benefits of \$8.3 billion were paid during the year, essentially the same as the previous year. Payments were made to 748,000 beneficiaries during the year, down from 772,000 the year before. Equity in the Trust Funds at year-end was \$17.96 billion, a new high and an increase of \$1.48 billion from the previous year.

Grants available for rail station renovations

The Great American Station Foundation is accepting applications for its 2001 cycle of grants for train station revitalization projects. The Las Vegasbased group provides grants to help jump-start community efforts to restore rail stations as active Intermodal transportation facilities and ensure that they contribute to community economic development. Full details on the grant program are available on the Foundation's web site at: www.stationfoundation.org. •

Bush transportation budget shorts Amtrak

President Bush's FY 2002 transportation budget proposal provides Amtrak with an authorization of \$521 million, \$400 million below its authorization level. In addition, it proposes to reinstate railroad safety user fees. Congress had eliminated these fees in the past. However, the Administration's budget proposal contains revenue of \$75 million in so-called "transportation user fees," including fees to support FRA's railroad safety inspection program, and fees to offset costs associated with regulating transportation of hazardous materials. •

That's a Lott of...

Apparently, U.S. Senate Minority Leader Trent Lott (R-MS) thinks men and women who safely pilot plane-loads of passengers through clear, turbulent or stormy skies are vastly overpaid.

At a February 13 hearing on airline industry problems, Lott said, "I think labor is a large part of the problem... What do they make? Look at those salaries."

While some captains do earn better than \$100,000 a year (after years of experience), according to the Air Line Pilots website, www.alpa.org, starting salaries run between \$25,000 and \$28,000 a year. Required training and licenses for pilots (after the cost of four years of college) amount to about \$30,000.

Lott earns a \$141,300-a-year Senate salary. Who provides the most value? •

BLE State Update

News and notes regarding our State Legislative Boards

Editor's Note: The following information was compiled, written and submitted by the BLE's National Legislative Office in Washington, D.C.

Alabama: Brother Tommy Hudson was re-elected unanimously as Chairman of the Board for another term. Our congratulations to Brother Hudson and the Officers and Delegates of the Alabama State Legislative Board.

The Alabama Legislature adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Arkansas: Brother Tim Young, SLBC-AR, reports that legislation that would have mandated a two-person crew on trains operating in Arkansas was defeated.

Colorado: Brother George Last, SLBC-CO, reports that the Colorado Legislature adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Georgia: Brother Raymond Taylor, SLBC-GA, reports that the George Legislature adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Illinois: Brother Ed Way, SLBC-IL, advises that the Governor will sign into law legislation to regulate contract carriers transporting railroad crews in the State of Illinois.

Louisiana: Brother Mike O'Brien, SLBC-LA, advises that the Louisiana State Legislature adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Michigan: Legislation that will increase the funding for maintenance of active traffic control devices at highway/railroad grade crossings, such as flashing lights and automatic gates, was signed into law by Governor Engler. The bill increases the contributions from road authorities to railroads for the devices from \$760 to \$1,630 per year

per crossing. In addition, the act requires the Department of Transportation to complete a study to determine the cost of maintaining such devices by the beginning of 2010 and every ten years following.

Missouri: Brother Mickey Gage, SLBC-MO, advises that the Missouri General Assembly adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Montana: Brother Gilchrist, SLBC-MT, reports that legislation has been introduced in Montana that would bring back passenger rail travel to Southern Montana. The Montana AFL-CIO testified in support of the bill. And thanks to a grassroots campaign involving hundreds of union families and friends, the Paycheck Deception bill was defeated this session.

Oklahoma: Brother Renfro, SLBC-OK, reports the State Senate approved putting a so-called "right-to-work" measure on the November 2002 ballot.

Oregon: Brother Doug Horstman was unanimously reelected as Chairman to the State Legislative Board. Congratulations!

The Oregon Legislature adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Utah: Brother Walt Webster, SLBC-UT, has won the UP's Dennis G. Beachler Grade Crossing Safety Award in recognition of his involvement in preventing grade-crossing collisions and pursuing the company's grade crossing safety goals. Congratulations!

West Virginia: Brother Blake, SLBC-WV, reports the West Virginia Legislature adopted a Resolution urging the U.S. Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001.

Wisconsin: By unanimous action, Keith Luebke, was elected to another term as Chairman of the Board. Congratulations, Brother Luebke.

PAC contributors will receive lapel pins soon

BLE Vice-President & U.S. National Legislative Representative Leroy Jones reports that lapel pins for BLE PAC contributors are now in the mail and will be arriving soon. The pins are given to members who contribute to the BLE's PAC fund at a minimum of \$60 per year.

Members who do not receive their pins by August 1 should contact the BLE's National Legislative Office by phone at (202) 347 7936 or via the Internet at:

BLE thanks all PAC contributors! •

NASLBC concludes annual meeting in Austin

The National Association of State Legislative Board Chairmen held its annual meeting from April 29-May 2 in Austin, Texas. Thirty-Five states were represented and various International Officers and staff members of the BLE's National Legislative Office in Washington, D.C. were in attendance. Representatives from ORBA Financial, BRCF Insurance, LECMPA Insurance, and Designated Legal Counsel also attended.

"At the present time we have 36 states that have either full or part time Legislative Chairmen," said Raymond Holmes, Texas State Legislative Board Chairman and Chairman, NASLBC. "We meet annually to discuss common issues, state initiatives, to hear reports from our International Officers, to lay the framework for future legislation, and to decide what legislation should be handled on the national level."

The focus of this year's meeting was to review the BLE Constitution & Bylaws concerning Legislative Boards. The Chairmen drafted and prioritized seven resolutions for the upcoming convention.

Elections were also held at this meeting and Brother Holmes was reelected Chairman. Other officers elected were: Vice Chairman — J.T. Norris, Va.; 2nd Vice

Chairman — Ed Way, Ill.; Secretary-Treasurer — Perry Renfro, Okla.; and Alt. Secretary-Treasurer — Ken Kertesz, Pa. Regional Chairman election results were as follows: Area 1 — George Newman, Mass; Area 2 — Tommy Mayne, Ky.; Area 3 — Jim Keele, Kan.; and Area 4 — Mike Muscha, N.D.

Next year's meeting will be held in Minneapolis, Minn.

First row, from left: Jim Keele, SLBC-Kan. and NASLBC Regional Chairman (Area 3); Leroy Jones, BLE Vice-U.S. President & National Legislative Representative; Edward Dubroski, BLE International President; J.L. McCoy, BLE First Vice-President & Alternate President; and Russell W. Bennett, BLE General Secretary-Treasurer.

Second Row, from left: Perry
Renfro, SLBC-Okla. and NASLBC SecretaryTreasurer; Ken Kertesz, SLBC- Pa. and
NASLBC Alt. Secretary-Treasurer; J.T. Norris,
SLBC-Va. and NASLBC First Vice Chairman;
Raymond Holmes, SLBC-Texas and NASLBC
Chairman; Betty Child, BLE National
Legislative Office Executive Assistant; Mike
Muscha, SLBC-N.D. and NASLBC Regional
Chairman (Area 4); Tommy Mayne, SLBC-Ky.
and NASLBC Regional Chairman (Area 2).

Third Row, from left: George Last,



SLBC- Colo.; Chuck Hintz, SLBC-lowa; Jimmy Brittain, SLBC-Tenn.; George Newman, SLBC-Mass. and Regional Chairman (Area 1); Ed Way, SLBC-III. and NASLBC 2nd Vice Chairman; Jim Chappelle, SLBC-N.J.; and Jim Bradford, BLE Special Representative.

Fourth Row, from left: J.F. Ong, Ohio SLB 1st Vice Chairman; Mickey Gage, SLBC-Mo.; Mike O'Brien SLBC-La.; Tom Perkovich, SLBC-Minn.; Bruce Yates, SLBC-N.M.; Bill Verdeyen, SLBC-Ind.; James Ussery, TSLB- 2nd Vice Chairman; Keith Luebke, SLBC-Wisc.; Randy Meek, SLBC-Neb.; and Ron Huff, NDSLB-1st Vice Chairman. Fifth Row, from left: Jim Worles, WVSLB-1st Vice Chairman; Walt Webster, SLBC-Utah; Tommy Hudson, SLBC-Ala.; Brian Gallagher, NYSLBC Secretary-Treasurer; Brent Boggs, BLE National Legislative Office Political Affairs Coordinator; Raymond Taylor, SLBC-Ga.; Terry Jones, SLBC- Wyo.; Jeff Ramage, SLBC-Idaho; Tim Young, SLBC-Ark.; and Steve Golubic, Local Chairman of BLE Division 238 (Tacoma, Wash.).

Sixth Row, from left: Terry Briggs, TSLB-1st Vice Chairman; Craig Gilchrist, SLBC-Mont.; Robert Svob, SLBC-Ariz.; and Doug Horstman, SLBC-Ore. •

BLE forms Retired Members Association

Retired Members

Continued from Page 1

and mobilize retired union members and their families so that they can be an effective political force on issues of concern to retired and working Americans.

McLaughlin said that when President Dubroski first asked him to lead RMA he was eager to say do so.

"I recognized the promise that the RMA could hold for retired BLE members and all railroaders," said McLaughlin. "I want to congratulate Brother Ed for putting the BLE's resources behind this effort."

McLaughlin said that during the next few months the RMA will be contacting every retired BLE member and will begin building the structure for the new organization.

"Retired members share many 'bread and butter' issues with the active membership," said McLaughlin, "including keeping up with the increased cost of living, to rising medical and prescription costs, to making sure that the Railroad Retirement fund grows to safeguard our pensions. And retired members have to deal with these concerns with the added burden of living on a fixed income."

He continued: "Our retirees can make a difference in many ways. We can help in the fight for stronger legislation and regulation. Our numbers can add to the power of mobilization. And we can provide support and mentoring to active officers. If you are a retiree, please take advantage of this invitation to reinforce your commitment to the BLE. And, if you are an active member, please bring this message back to your division, and urge your retirees to join the Association."

McCann to serve as Vice-Chairman of TTD's Rail Labor Division

Congratulations to Brother Leo McCann, President of the American Train Dispatchers Department of the BLE, who was recently selected to serve as Vice-Chairman of the Rail Labor

Division, Transportation Trades Department, AFL-CIO.

The new chairman of the Rail Labor Division, TTD is Mark Filipovic, Railroad Coordinator of the International Association of Machinists and Aerospace Workers. Brother Filipovic had served as Vice-Chairman of the RLD.

He replaces BLE International President Edward Dubroski, who most recently held the position of Chairman of the Rail Labor Division, TTD.

Both will serve one-year terms through July of 2002. Congratulations again to Brother McCann. •



BLE delegates attend Montana AFL-CIO convention

Three members of the Brotherhood of Locomotive Engineers served as delegates to the Montana State AFL-CIO convention last month in Butte, Montana

Pictured to the left are C. A. Gilchrist, Chairman of the BLE Montana State Legislative Board (left), as he talks with Randy D. Smith, Legislative Representative of BLE Division 262 (Missoula, Mont.). The third BLE delegate was K. E. Hentges (not pictured), President of BLE Division 298 (Glasgow, Mont.).

"The convention this year was held for the purpose of electing officers to the state federation and considering resolutions to change the by-laws of the Montana AFL-CIO." Gilchrist said.

In addition, Brother Smith said the three-day convention served as a strategy session for members of the Montana labor movement as they plan for an upcoming state-wide election.

"I feel that the contacts made here at the convention are valuable down the line," he said, "especially

during the state-wide election cycle when we are trying to elect candidates who will be responsive to the need of working families."

Gilchrist said next year's convention will focus even more closely on the state-wide election.

"Next year, (we will) interview and endorse candidates for state-wide and national office, and that is always an important convention for us," he said.

Gilchrist said the three BLE delegates to the convention made important contacts with other AFL-CIO affiliates.

"It is valuable for our BLE members to attend the state AFL-CIO conventions as it gives them an opportunity to mix with the broader labor movement, and educate others about the problems we face working daily on the railroads here in Montana," he said.

AFL-CIO President John Sweeney addressed the convention on the opening day.

Next year's convention will be held in Great Falls, Mont. •

INTERNATIONAL WESTERN CONVENTION



GIA President Ruth Pillman-Windham addresses the delegation. Seated is GIA Vice-President Onita Wayland.



BLE members during one of the many educational workshops.



From left: D.W. Hannah, Union Pacific-Western Lines First Vice-Chairman, and Larry Law, Legislative Representative of BLE Division 56 (W. Colton, Calif.).



Playing the bagpipes during the opening ceremony is D.J. Anderson, Alberta Provincial Legislative Board Chairman.



From left: Mike Young, Union Pacific-Eastern District General Chairman; Ron McLaughlin, former International President Emeritus and interim Chairman of the BLE's Retired Members Association (see page 1 article); and Dennis Simmerman, BLE Alternate General Secretary-Treasurer.



From left: T.J. Carter, Legislative Representative of BLE Division 158 (Sparks, Nevada); and Union Pacific-Western Lines General Chairman E.L. Pruitt.



International President Dubroski delivers his report to the membership.

DENVER, COLORADO



IWC Chairman Skip Colyer, center, receives a congratulatory plaque for his work in organizing the convention from International President Edward Dubroski, right, and First Vice-President & Alternate President Jim McCoy.



Wisconsin Central General Chairman Jeff Bochman



North Dakota State Legislative Board Chairman Mike Muscha, left, collects a door prize from Mike Weston, Legislative Representative of BLE Division 186 (Denver, Colo.). Brother Weston served on Skip Colyer's IWC arrangements committee.



BLE Division 404 (Chicago) Local Chairman Paul Fessenbecker, standing, asks President Dubroski a question during the IWC's closed session. Seated to the right is Ray Hanck, President of BLE Division 31 in Bill, Wyo.



Conducting a workshop for delegates to September's International Convention is International Division Staff Attorney Tom Brennan.



Amtrak Vice-General Chairman C.A. McDowell

BLE SENIOR REPORT

New benefit year for unemployment, sickness benefits

A new benefit year under the Railroad Unemployment Insurance Act begins July 1, 2001. Administered by the U.S. Railroad Retirement Board, this Act provides two kinds of benefits for qualified railroaders: unemployment benefits for those who become unemployed but are ready, willing and able to work; and sickness benefits for those who are unable to work because of sickness or injury. Sickness benefits are also payable to female rail workers for periods of time when they are not able to work because of pregnancy and childbirth.

The following questions and answers describe these benefits, their eligibility requirements, and how to claim them.

1. What is the daily benefit rate payable in the new benefit year beginning July 1, 2001?

Almost all employees will qualify for the new maximum daily benefit rate of \$50, which increased from \$48 under indexing provisions reflecting the growth in average national wages. Benefits are generally payable for days of unemployment or sickness in excess of four in biweekly claim periods, which yields \$500 for each two full weeks of unemployment or sickness. However, sickness benefits resulting from other than on-the-job injuries are subject to tier I railroad retirement payroll taxes for the first six months after the employee last worked.

2. What are the eligibility requirements for railroad unemployment and sickness benefits in the new benefit year?

To qualify for normal railroad unemployment or sickness benefits, an employee must have had railroad earnings of at least \$2,512.50 in calendar year 2000, not counting more than \$1,005 for any month. Those who were first employed in the rail industry in 2000 must also have at least five months of creditable railroad service in 2000.

Under certain conditions, employees with 120 or more months of railroad service who do not qualify on the basis of their 2000 earnings may still be able to receive benefits in the new benefit year. Employees with 120 or more months of service who received normal benefits in the benefit year ending June 30, 2001, may be eligible for extended benefits, and employees with 120 or more months of service might qualify for accelerated benefits if they have rail earnings of at least \$2,625 in 2001 not counting earnings of more than \$1,050 a month.

3. How long are these benefits payable?

Normal unemployment or sickness benefits are each payable for up to 130 days (26 weeks) in a benefit year. The total amount of each kind of benefit which may be paid in the new benefit year cannot exceed the employee's railroad earnings in calendar year 2000, not counting earnings of more than \$1,298 per month.

If normal benefits are exhausted, extended benefits are payable for up to 65 days (13 consecutive weeks) to employees with 10 or more years of service.

4. What is the waiting-period requirement for unemployment and sickness benefits?

Benefits are normally paid for the number of days of unemployment or sickness over four in 14-day claim periods. However, during the first 14-day claim period in a benefit year, benefits

are only payable for each day of unemployment or sickness in excess of seven which, in effect, provides a one-week waiting period. Separate waiting periods are required for unemployment and sickness benefits. However, only one seven-day waiting periods.

riod is generally required during any period of continuing unemployment or sickness, even if that period continues into a subsequent benefit year.

Initial sickness claims must also begin with four consecutive days of sickness.

5. Are there special waiting-period requirements if unemployment is due to a strike?

If a worker is unemployed because of a strike conducted in accordance with the Railway Labor Act, benefits are payable for days of unemployment during 14-day claim periods after the first claim period, but no benefits are payable for days of unemployment during the first 14 days of the strike.

If a strike is in violation of the Railway Labor Act, unemployment benefits are not payable to employees participating in the strike. However, employees not among those participating in such an illegal strike, but who are unemployed on account of the strike, may receive benefits after the first two weeks of the strike.

While a benefit year waiting period cannot count toward a strike waiting period, the 14-day strike waiting period may count as the benefit year waiting period if a worker subsequently becomes unemployed for reasons other than a strike later in the benefit year.

6. Can employees in train-andengine service receive unemployment benefits for days when they are standing by or laying over between scheduled runs?

No, not if they are standing by or laying over between regularly assigned trips or they missed a turn in pool service.

7. Can extra-board employees receive unemployment benefits between jobs?

Yes, but only if the miles and/or hours they actually worked were less than the equivalent of normal full-time work in their class of service during the 14-day claim period. Entitlement to benefits would also depend on the employee's earnings.

8. How would an employee's earnings in a claim period affect his or her eligibility for unemployment benefits?

If a claimant's earnings for days worked, and/or days of vacation or paid leave, in a 14-day claim period are more than a certain indexed amount, no benefits are payable for any days of unemployment in that period. That claim, however, can be used to satisfy the waiting period.

Earnings include pay from railroad and nonrailroad work, as well as part-

time work and self-employment. Earnings also include pay that an employee would have earned except for a failure to mark up or report for duty on time, or because he or she missed a turn in pool service or was otherwise not ready or willing to work. For the benefit year that begins July 2001 the

test amount is \$1,005, which corresponds to the base year monthly compensation amount used in determining eligibility for benefits in the new benefit year.

9. How does a person claim unemployment benefits?

In order to receive unemployment benefits, claimants must obtain an application from their labor organization, employer, local Railroad Retirement Board office or the Board's Web site at www.rrb.gov. The completed application should be mailed to the local Board office as soon as possible and, in any case, must be filed within 30 days of the date on which the claimant became unemployed or the first day for which he or she wishes to claim benefits. Benefits may be lost if the application is filed late.

The local Board office reviews the completed application and notifies the claimant's current railroad employer, and base-year employer if different. The employer has the opportunity to provide information about the benefit application.

After the Board office processes the application, biweekly claim forms are mailed to the claimant as long as he or she remains unemployed and eligible for benefits. Claim forms should be signed and mailed on or after the last day of the claim. The completed claims must be received by a Board office within 15 days of the end of the claim or the date the claim was mailed to the claimant, whichever is later.

Only one application need be filed during a benefit year even if a claimant becomes unemployed more than once. However, a claimant must, in such a case, request biweekly claim forms from a Board field office within 30 days of the first day for which he or she wants to resume claiming benefits.

10. How does a person claim sickness benefits?

An application for sickness benefits can be obtained from railroad labor organizations, railroad employers, any Board office or the Board's Web site. An application and a doctor's statement of sickness are required at the beginning of each period of continuing sickness for which benefits are claimed.

The Board suggests that employees keep an application on hand for use in claiming sickness benefits, and that family members know where the form is kept and how to use it. If an employee becomes unable to work because of sickness or injury, the employee should complete the application and take or send it to his or her doctor for completion of the statement of sickness. If the employee is too sick to complete the application, someone else may do so. In such cases, a family member should also complete the "Statement of Authority to Act for Employee," which accompanies the statement of sickness.

After completion, the forms should be mailed to the Board's headquarters in Chicago by the seventh day of the illness or injury for which benefits are claimed. After the Board receives the application and statement of sickness and determines eligibility, biweekly claim forms are mailed to the claimant for completion and return to a Board field office for processing. The claim forms must be received at the Board within 30 days of the last day of the claim period, or within 30 days of the date the claim form was mailed to the claimant, whichever is later. Benefits may be lost if an application or claim is filed late.

11. Is a claimant's employer notified each time a biweekly claim for unemployment or sickness benefits is filed?

The Railroad Unemployment Insurance Act requires the Board to notify the claimant's base year employer each time a claim for benefits is filed, and to give that employer an opportunity to submit information relevant to the claim before the Board makes an initial determination on the claim. In addition, the claimant's current employer is also notified. The Board must also notify the claimant's base-year employer each time benefits are paid to a claimant. The base-year employer may appeal the decision to pay benefits. The appeal does not prevent the timely payment of benefits. However, a claimant may be required to repay benefits if the appeal is successful.

The Board also checks with other Federal agencies and all 50 States to detect fraudulent benefit claims; and it checks with physicians to verify the accuracy of medical statements supporting sickness benefit claims.

12. How long does it take to receive payment?

Persons who file an application for benefits may expect to receive a claim form, or a decision on their application, within 15 days of the date they filed their application. When they file biweekly claims, they may expect to receive a payment, or a decision on a claim, within 15 days of the date a Board office receives the claim form. However, claims for some benefits may take longer to handle than others if they are more complex, or if a Board office

BLE SENIOR REPORT

RRB issuing statements of service

Each year, the U.S. Railroad Retirement Board prepares a "Certificate of Service Months and Compensation" (Form BA-6) for every railroad employee who received creditable railroad compensation in the previous calendar year. The forms will be mailed to employees by the Board during the first half of June.

While the Board has made every effort to compile and keep current a file of the addresses of all active railroad employees, employees for whom compensation was reported in 2000, but who have not received a Form BA-6 by late June, or need a replacement, should contact the nearest Board field office.

Form BA-6 provides employees with a record of their railroad retirement service and compensation. While the form has no cash value, the information shown is used to determine whether an employee qualifies for benefits and the amount of those benefits.

It is important that employees review their Form BA-6 to see whether their own records of service months and creditable compensation agree with the figures shown on the form. In checking the 2000 compensation total, employees should be aware that only annual earnings up to \$76,200 were creditable for railroad retirement purposes in that year, and that \$76,200 is the maximum amount shown on the form.

To assist employees in reviewing their service credits, the form also shows service credited on a month-by month basis for 1999, 1998 and 1997, when the creditable compensation maximums were \$72,600, \$68,400 and \$65,400, respectively. In addition, the form identifies the rail employers reporting the employee's 2000 service and compensation.

Besides the months of service reported by rail employers, Form BA-6

shows the number of any additional service months deemed by the Board. Deemed service months may be credited under certain conditions for an employee who did not work in all 12 months of the year, but had creditable tier II earnings exceeding monthly prorations of the creditable tier II earnings maximum for the year.

However, the total of reported and deemed service months may never exceed 12 in a calendar year; and no service months, reported or deemed, can be credited after retirement, severance, resignation, discharge, or death.

For employees who received separation or severance payments, the form, in the section designated "Taxable Amount," shows the amounts of any separation allowance or severance payments that were subject to railroad retirement tier II taxes. This information is shown on the form because a lump sum, approximating part or all of the tier II taxes deducted from such payments made after 1984 which did not provide additional tier II credits, may be payable by the Board upon retirement to employees with 120 months of service, or to survivors if the employee dies before retirement.

The amount of an allowance included in an employee's regular compensation is shown under "Compensation Amount."

The Form BA-6 also shows, in the section designated "Employee Contributions," the cumulative amount of tier II railroad retirement payroll taxes paid by the employee over and above tier I social security equivalent payroll taxes. While the Board does not collect or maintain payroll tax information, the Board computes this amount from its compensation records in order to advise retired employees of their payroll tax contributions for Federal income tax purposes.

A section has been added to the back of the form advising employees to submit proofs of age and/or military service in advance of their actual retirement. Filing these proofs with the Board in advance will streamline the benefit application process and prevent payment delays.

An employee who receives Form BA-6 with an incorrect name, address, date of birth or social security number can have the information corrected by contacting the nearest Board field office. If there is a name difference, an employee should be aware that the form may not show his or her full surname if the surname exceeds 10 letters, "Junior" or "Senior" was used with the surname, or the employee first worked for a railroad in 1999.

For most employees, the address and phone number of the Board office serving their area is provided on the form. Employees can also locate the nearest field office by visiting the Board's Web site at www.rrb.gov. In addition, a toll-free automated Help Line is available 24 hours a day, seven days a week, at 1-800-808-0772. Employees can use the Help Line to request a detailed breakdown of their creditable railroad service and compensation, as well as to find the address and telephone number of the Board office serving their area.

Any other discrepancies in Form BA-6 should be reported promptly in writing to: Protest Unit-ESTC, U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092. The employee must include his or her social security number in the letter

The Form BA-6 also explains what other documentation and information should be provided. The law limits to four years the period during which corrections can be made. •

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New benefit year for unemployment, sickness benefits

New Benefit Year

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has to get information from other people or organizations. If this happens, claimants may expect an explanation and an estimate of the time required to make a decision.

Claimants who think a Board office made the wrong decision about their benefits have the right to ask for review and to appeal. They will be notified of these rights each time an unfavorable decision is made on their claims.

13. How are payments made? Railroad unemployment and sick-

ness insurance benefits are paid by Direct Deposit. With Direct Deposit, benefit payments are made electronically to an employee's bank, savings and loan, credit union or other financial institution. New applicants for unemployment and sickness benefits will be asked to provide information needed for Direct Deposit enrollment. Waivers are available to individuals who determine that Direct Deposit would cause a hardship, and to individuals without bank accounts.

14. How can claimants receive more information on railroad unemployment or sickness benefits?

Claimants with questions about

unemployment or sickness benefits should contact the nearest Board office. Most Board offices are open to the public from 9:00 a.m. to 3:30 p.m., Monday-Friday. Claimants can find the address and phone number of the Board office serving their area, and also get information about their claims and benefit payments by calling the RRB Help Line at (800) 808-0772. The RRB Help Line is an automated telephone service available 24 hours a day, 7 days a week.

Callers to the RRB Help Line who want information about their unemployment or sickness claims need a Personal Identification Number, which is printed on the back of each claim form. •

BLE General Committee establishes new headquarters after tornado

After losing their headquarters to a tornado in March of 2000, members of the BNSF/MRL General Committee of Adjustment have finally settled into a new office.

The Burlington Northern Santa Fe/Montana Rail Link GCofA, headed by General Chairman M. W. Geiger, is now located at the following:

801 Cherry St., Suite 1010 Ft. Worth, TX 76102 Phone: (817) 338-9010

All committee files are back in order, and First-Vice Chairman Dennis Pierce reports the GCofA is also working on a new website.

On March 28, 2000, winds of up to 157 mph destroyed the BNSF/MRL

GCofA headquarters as a category F2 tornado slammed into the 35-story glass tower that housed the GCofA office. Committee members will be happy to see the old building destroyed.

"We... have a front row seat for when they implode the tornado ravaged tower we used to be in," says First Vice-Chairman Pierce. •

Revised COLA payments for 2001

Some railroad retirement annuitants, like social security beneficiaries, will see a small increase in their monthly benefits, beginning with a retroactive payment in late July. Because of a Department of Labor error in calculating the rise in the Consumer Price Index (CPI) during the 12 months preceding October 1999, the cost-of-living adjustment payable in January 2000 for railroad retirement tier I and social security benefits was 2.4 percent, rather than the 2.5 percent due.

Tier II railroad retirement benefits, which increase by 32.5 percent of the CPI rise, were not affected, as the 0.1 percent error in the CPI was too small to trigger a change in the tier II cost-of-living increase of 0.8 percent paid for calendar year 2000.

The Railroad Retirement Board estimates that 92 percent (about 283,000) of the retired employees on its rolls along with 38 percent (about 61,000) of spouse beneficiaries and 79 percent (about 159,000) of survivor beneficiaries are affected. About 95 percent of all those affected have been underpaid \$1.00 a month or less since January 2000, while another 5 percent have been underpaid up to \$2.00 a month. The retroactive payments are therefore expected to average \$19 for those on the rolls since January 2000.

The Railroad Retirement Board, like the Social Security Administration, plans to issue retroactive payments in late July. The Board will begin monthly payments at the corrected amounts on August 1.

In general, annuitants are affected by this adjustment if the employee was age 62 or rated disabled by the Railroad Retirement Board before 2000. The Board will, in any case, notify all beneficiaries whether or not their benefits are affected by the adjustment

Annuitants who have questions about this adjustment should contact the nearest field office of the Railroad Retirement Board. They can find the address and phone number of the Board office serving their area by calling the automated toll-free RRB Help Line at 1-800-808-0772 or by checking the Board's Web site at www.rrb.gov. Most Board field offices are open to the public from 9:00 a.m. to 3:30 p.m. Monday through Friday.

BLE NEWS

Bilka wins safety award

Hammond Award

Continued from Page 1

vears, and I'm pleased to see him gain such high recognition for his devotion to the BLE and the cause of safety."

Brother Bilka remained humble about the honor, saying he had never even heard of the award until he had been nominated.

"I'm a small town boy who never expected anything like this," he said. "I'm just a locomotive engineer who's interested in safety, but it's nice to get a pat on the back every once in a while."

Numerous examples of Brother Bilka's commitment to safety were cited. As a member of the Altoona Safety Committee, he helped establish a simple goal for 2000: zero incidents and zero injuries. The Altoona District was the only operating district on the division to meet that goal. While chairing various subcommittees for the Allegheny Labor and Management Organization and with an eye toward enhancing safety, Brother Bilka also worked tirelessly to improve yard lighting, road paving, dismounting pads and locomotive design.

He credits his co-workers for helping create a safe work environment. In fact, after winning the award, he took it to work and hung it up to share with

"It belongs to my co-workers as much as me," he said.

While operating a locomotive in 1974, Brother Bilka saw a group of children crossing under trains. Alarmed at what he saw, Bilka became "Engineer Rudy." Clad in bib overalls, a red bandana and a pin-striped engineers cap, "Engineer Rudy" took his lifesaving message directly to the schools. Since then he has consistently spread the word to driver education classes, firemen, Boy Scouts, truckers, ambulance operators, college students, senior citizens and law enforcement officers.

In nominating Brother Bilka for the Hammond Award, NS Chairman, President and Chief Executive Officer David Goode, wrote, "Mr. Bilka's dedication to safety shines brightly. People recognize and respond to the genuine article. When Rudy Bilka talks about safety,

Railroad Retirement

Continued from Page 1

Committee. The Ways and Means Committee has a deadline of July 12 to consider the legislation. The committee may run short on time because Congress will be in recess from June 30 to July 8 for the Fourth of July. The Ways and Means Committee closed the bill to new co-sponsors because they are going to act upon it. H.R. 1140 had 367 co-sponsors as of June 13.

BLE members, GIA members and their families are encouraged to keep pressure on those members of the House and Senate who are not supporting this bill by contacting them in their Washington, D.C. offices while they are in session and in their district office while they are adjourned for recess. •

people listen, connect and react positively. He is a dedicated individual with a clear purpose, a person who make a difference — in short, a natural."

Five other railroad employees were honored with Certificates of Commendation for their work in enhancing safety. They are:

- Bobby Atkinson, purchasing and materials storekeeper with CSX Transportation in Baltimore;
- Randy C. Caldwell, a locomotive engineer with Burlington Northern Santa Fe in Conroe, Texas;
- Richard Lara, a track supervisor with Union Pacific in Greeley, Colorado;
- David K. Roth, a locomotive engineer with Montana Rail Link in Laurel,
- Michael A. Shannon, assistant train master with I&M Rail Link in Mason City, Iowa.

The Harold F. Hammond Award, established in 1986, is awarded to an individual railroad employee who has demonstrated outstanding safety achievement during the preceding year. It is named for Harold F. Hammond, former President of the Transportation Association of America, who had served many years as chairman of the Harriman Awards selection committee.

Brother Caldwell has put safety first throughout his 25-year injury-free railroad career. He served as a key member of the team that developed a work environment process which detects safety defects in the work place. The "Work Environment Safety Team" (WEST).

Some of Caldwell's other contributions as a safety leader include: development of an internal web site which



Caldwell

communicates the work environment process to field personal; a newsletter for the Gulf division on the **BNSF** Railway that includes safety ideas for

on and off the job; safety presentations across the BNSF system, including monthly divisional debriefings, which teaches employees to review their work area for safety defects; and development of safety training materials and audit questionnaires that are being used across BNSF's system. •

JUNE 2001 CALENDAR & EVENTS

JUNE 24-28, 2001... 74th Southeastern Meeting Association in Pine Mountain, Ga. Chairman W.J. Spriggs Jr. and members of BLE Division 779 (Manchester, Ga.) are hosting this year's convention at Callaway Gardens resort. Hotel reservations can be made by calling (800) CALLAWAY. Members interested in attending can contact Brother Spriggs at (706) 989-0064, or see April 2001 Newsletter for registration forms.

JULY 15-20, 2001... West Coast Local Chairman Workshop in Berkley, Calif. Due to overwhelming request, this training seminar will be held at the Clark Kerr Campus of U.C. Berkley, and will cover all aspects of the Local Chairman's duties and responsibilities. Among

other tasks, members will participate hands-on in a simulated disciplinary hearing. Space is limited to first 25 BLE members who register. Interested parties can register by contacting Barbara Kara of the BLE's Education & Training Dept. at (216) 241-2630, ext. 238.

AUGUST 20-24, 2001... Eastern Union Meeting Association in Atlantic City, N.J. At the Tropicana Hotel & Casino, (800) 247-8767. See page 7 of May 2001 issue for registration forms and more details. Hotel registration deadline is August 1; meal package and golf tournament registration deadline is August 12. Be advised that meal packages are available on a first come, first served basis. Contact EUMA Arrangements Chairman Sonny Kertesz at (732) 458-7642 or at <sonny912@aol.com>.

SEPTEMBER 9-14, 2001... 66th Annual BLE-GIA Southwestern Convention Meeting Randy Schneider hosts this year's SWCM, which will be held at the Double Tree Hotel at Corporate Woods in Overland Park, Kan. Members interested in attending can contact Brother Schneider at (913) 681-1789. Room rates are \$89 per day, plus tax. For reservations, contact the Doubletree Hotel at: (913) 451-6100 or (800) 222-TREE.

SEPTEMBER 24-28, 2001... BLE Seventh Quinquennial International Convention At the Fontainebleau Hotel in Miami, Fla. See April 2001 Newsletter for official list of delegates.

Advisory Board May Activity

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

International President Edward Dubroski—International Office: General supervision of BLE activities; Publica

International President Edward Dubroski—International Office: General supervision of BLE activities; Publications committee; NASLBC mtg.; Mtg. w/ Cong. Oberstar, re: diesel tax repeal; TTD Rail Labor Div. mtg.; Amtrak GCA mtg.; National Press Club (Amtrak Pres. Warrington); Local Chairmer's training sessions (2); Ontario PLB mtg.; Democrite reception; International Western Convention.

First Vice-President & Alternate President James L. McCoy— FVP duties, contacted GCofAs, SLBCs, telephone calls, correspondence, etc...; Publications committee; NASLBC, Austin; Canadian legislative mtg., Niagara Falls, Ontario; IWC; Div. 307 and 197 mtgs., San Antonio; BNSF GCof A mtg., Ft. Worth; CRLO mtgs., Washington D.C.

General Secretary-Treasurer Russ Bennett—International Office: Supervision of BLE Financial depts.; Records Dept.; BLE Job Bank; Publications Cmte.; NASLBC mtg., Rail Labor Division, TTD mtg., for Dubroski; WC.

Vice-President Paul T. Sorrow—Employee member SBA 1063 (NS); Employee member PLB 6104 (CSX); Prepared case for executive session, PLB 6104 Award #8; Mtg. w/ COO & GM for GTW Division of CN/IC; Vacation to attend IWC; Visited w/ Div. 239; International Office mtg. called by President; General office duties; Reviewed cases for PLBs and Special Board of Adjustment.

Vice-President Joseph A. Cassidy Jr.— Mtg. w/ management of DM&IR; Work on PLB cases; Mtg. w/ DM&IR general chairman Delano; Mtg. w/ members of Div. 163; Mtg. w/ GC D. Hall, EJ&E; Mtg. w/ EJ&E management & grievance cmte.; Met w/ members of Div. 520; EJ&E PLB; Mtg. w/ GC Kenny; Amtrak GCA mtg.; Served as parliamentarian, Amtrak GCA mtg.; IWC; Mtg. w/ Western General Chairmen.

DN. 207; Elast FLD; Migl. W. GC helmly, Allindix GCX hing., Deleved as parinamentarian, Allindix GCX hing., Th.C., Migl. W. Resisting General Chairmen.

Vice-President & U.S. Nat'l Legislative Representative Leroy D. Jones—Washington office; Wisconsin State Legislative Board mtgs.; Mtg. w/ staff of Sen. Feingold's office (D-WI); Oregon State Legislative Board mtg.; TTD conference call, re: H.R. 1020; Mtg. w/ Shortline Association & AAR; Railroad Retirement coalition mtg.; Mtg. w/ staff of Senators Conrad (D-ND), Carnahan (D-MO), Clelland (D-GA); Met w/ Majority Staff, Senate Labor Crite.; Mtg. at Amtrak Gov't Affairs office; Met w/ staff of Senators Baucus (D-MT), Grassley (R-IA), Sorbanes (D-MD), Roberts (R-KS); FRA RSAC mtg.; AFL-CIO political directors subcommittee mtg.; Mtg. Mark Dysard, President, HSGTA; Receptions, Cong. Johnson (D-TX), Oberstar (D-MN), Allen (D-ME), Thompson (D-MS), Gilman (R-NY), Kaptur (D-OH); Mtg. at APTA; Mtg. w/ Tom Dwyer, NARVRE; Railroad Infrastructure mtg.; Met w/ staff of Cong. Clements (D-TN); Mtg. w/ Dr. Mallino Sr.; AFL-CIO political directors mtg.; NARP reception; Mtg. w/ Wash. Reps., NCSL; Mtg. w/ N Gubernatorial candidate McGreevey; Mtg. w/ Cong. Rahall (D-WV); Mtg. w/ Louise Lucas, Democrat Candidate for Congress, 4th District, Va.; NASLBC mtg. Vice-President William C. Walpert—ID Office; BLE Education & Training Dept.; BLE Safety Task Force; Mtg. w/ KCS GC Parker & LCs; Local chairmen workshop, Phoenix, Ariz.; Local chairmen workshop, Meany Center, Silver Spring, Md.; IWC, Denver.

Vice-President Edward W. Rodzwicz— ALRR section 6 notices, w/ GC J. White; NS-Eastern Region; Mtg. w/ VGC Thompson; Assianment under direction of President Dubroski; Conrail GCofA mtg.; PLB 5527, DH/ST, Boston; General office duties; IWC.

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Vice-President Dale McPherson — I&M Rail Link; CP Rail/SOO, UP East Lines; Indiana Railroad Co.; M&NA;. LP&N, Longview Sw. Co. TRRA-St. Louis; Pacific Harbor Line; General affice duties; BNSF safety summit, Ft. Worth; BNSF (former SLSF) GCofA mtg.; Contract negotiations, GC C.L. Roy; CP Rail/ US contract negotiations, G.C. M.D. Priester; IWC.
Vice-President & Canadian Director Gilles Hallé—Ottowa Office; Triennial mtg. of Quebec Legislative Board; RCTC-CN national conciliation; CN pension board mtg.; Mtg. w/ CN and C.A.T.A.Q.; Conciliation CBCNS; Locomotive engineers manual review; IWC. Vice-President & Canadian Director Gilles Hallé—Ottowa Office; Conciliation Legislative Board; RCTG-CN national conciliation; CN pension board mtg.; Mtg. w/ CN and C.A.T.A.Q.; Conciliation CBCNS; Locomotive engineers manual review; IWC.

conciliation; CN pension board mtg.; Mtg. w/ CN and C.A.I.A.Q.; Conciliation CBCNS; Locomotive engineers manual review; IWC. Vice-President & National Legislative Representative-Canada T. George Hucker—Ottawa Office; Canadian National Legislative Board; Triennial mtg. of Quebec Legislative Board; LTD trustee mtg.; Mtg. w/ Shields, re: Capital Railway; Triennial mtg. of Ontario Legislative Board; Met w/ Divisions 243 and 631; Via Rail safety & health committee mtg.; IWC.



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