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BLET CONTINUES FIGHT TO SAVE AMERICAN JOBS ON THE TEXAS BORDER

On Friday afternoon, July 6, U.S. District Court Judge Diana Saldaña blocked a strike by members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) employed by the Texas Mexican Railway (Tex Mex), which was scheduled to begin at 12:01 a.m. on July 9, by granting a Preliminary Injunction that had been requested by Tex Mex and its multi-national corporate parent, Kansas City Southern Railway (KCSR).

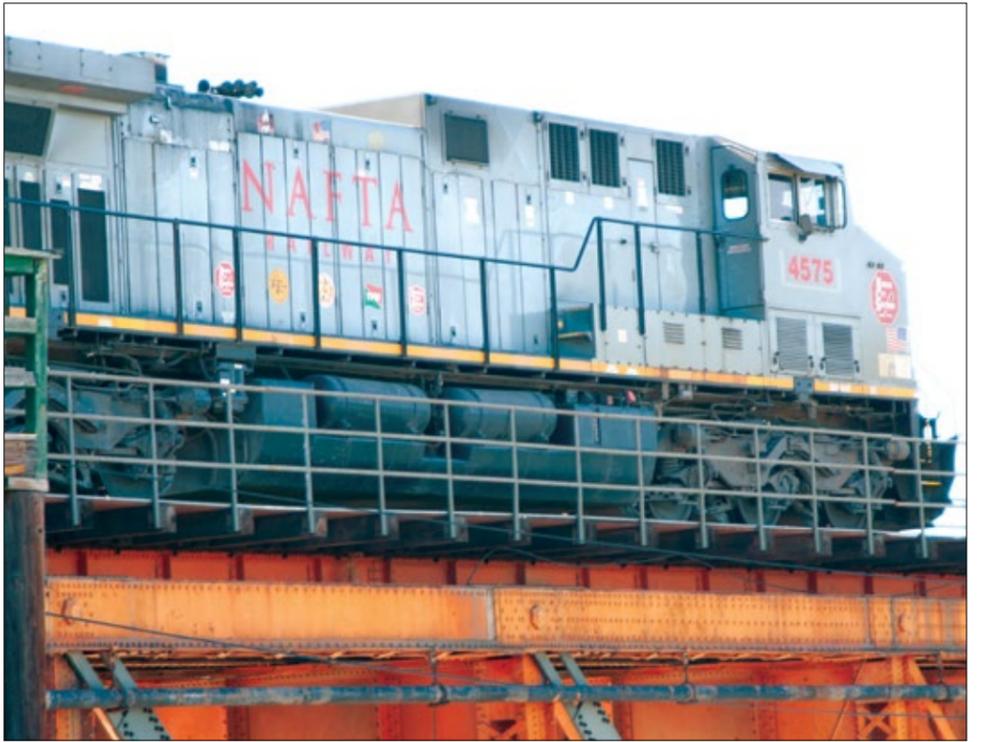
In dispute is the railroads' plan to replace Tex Mex crews with Mexican train crews employed by a Mexican KCSR subsidiary (KCSM) over the 9 mile Tex Mex line that runs between the interchange point at the U.S./ Mexican border on the International Bridge connecting the two nations, and the Tex Mex Laredo Yard. The strike had been approved by 98% of voting members, and the strike date

had been set by BLET National President Dennis R. Pierce and BLET Tex Mex General Chairman Chris Heise to coincide with the day the crew replacements were scheduled to begin.

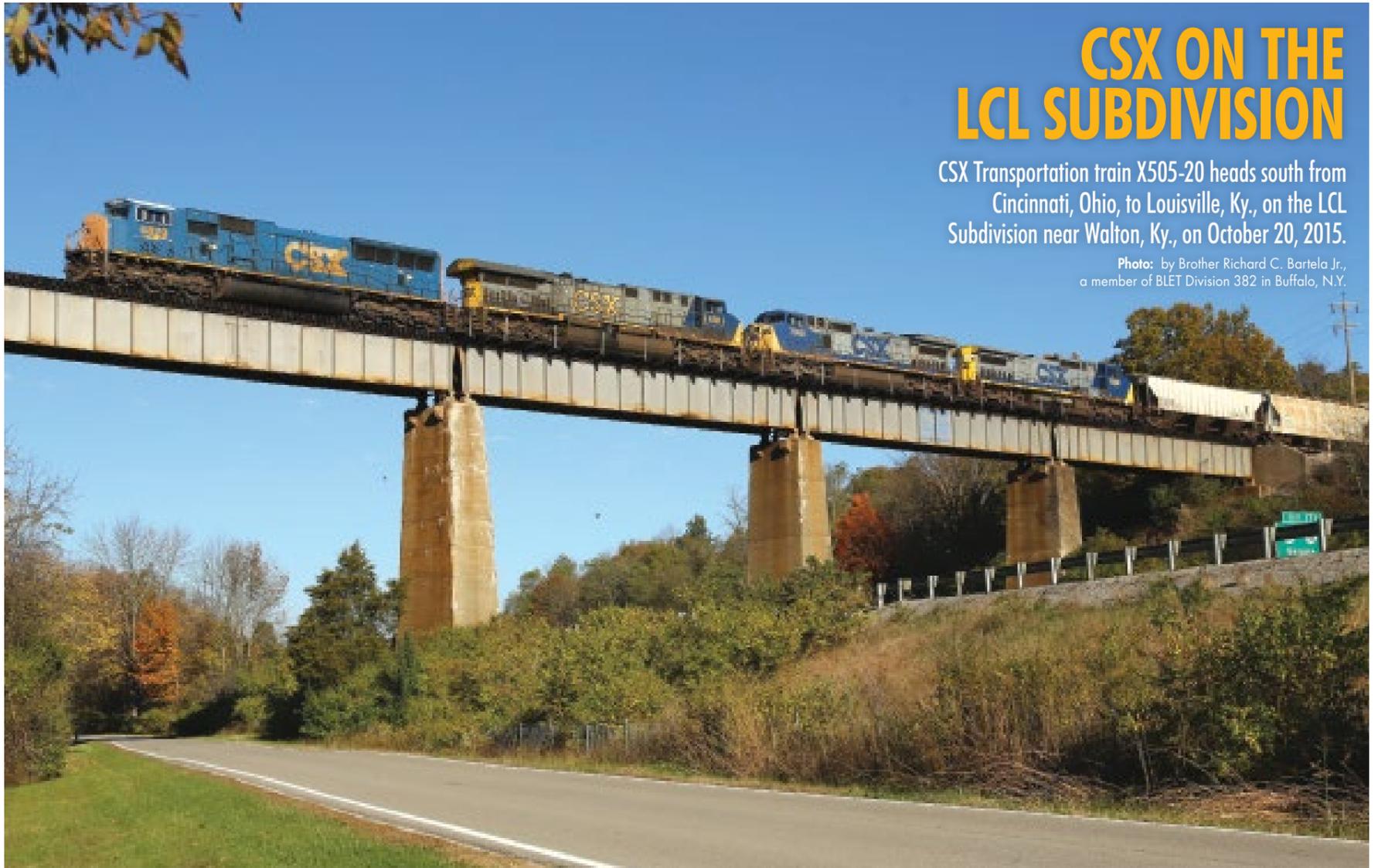
Judge Saldaña held an emergency hearing in Laredo on Tuesday, July 3. The railroads argued the dispute involved interpretations of four collective bargaining agreements, and for that reason, was a "minor" dispute under the Railway Labor Act (RLA) and subject to mandatory arbitration, rather than self-help.

The Judge's decision was in spite of the volume of evidence presented to the Court by BLET on a number of key issues. The Union definitively showed how the plan would diminish railroad safety, because it was contrary to the letter and the spirit of numerous Federal Railroad Administration (FRA) regulations. Among those were regulations governing subjects such as operating crew certification, radio

CONTINUED ON PAGE 5



A KCS locomotive approaches the international border at Laredo, Texas



CSX ON THE LCL SUBDIVISION

CSX Transportation train X505-20 heads south from Cincinnati, Ohio, to Louisville, Ky., on the LCL Subdivision near Walton, Ky., on October 20, 2015.

Photo: by Brother Richard C. Bartela Jr., a member of BLET Division 382 in Buffalo, N.Y.



BLET President's Message
Elections have consequences:
Janus v. AFSCME **pg. 2**

Contract Ratified
Members approve deal
with CN-IC **pg. 3**



Photo Recap
Highlights of BLET's Monterey
regional meeting **pgs. 4-5**

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BLET PRESIDENT'S MESSAGE BY DENNIS R. PIERCE

ELECTIONS HAVE CONSEQUENCES: JANUS V. AFSCME

Several of my messages published here in the *Locomotive Engineers & Trainmen News* throughout 2018 have carried the common theme that elections have consequences. Whether on the local, state or national level, the politicians we elect have a significant impact on our jobs, our safety, and our future.

In January, I wrote about how the Federal Employers' Liability Act (FELA) had come under attack in the Indiana General Assembly. Although much effort was made to repeal the attack, the state law has now been changed to allow railroads to seek damages from third parties to offset their financial obligations in the event they are found negligent and lose a FELA case in court. The deck was stacked against us from the beginning and our efforts could not overcome the super-majority status of anti-worker politicians in the state. As a consequence of elections, rail workers in Indiana will now have a more difficult time collecting FELA awards if they are injured on the job.

In March, I wrote about this issue again in regards to our battle to preserve two-person train crews on the Wheeling & Lake Erie Railway (W&LE). We have taken the position that all steps under the Railway Labor Act have been exhausted and we have asked the National Mediation Board (NMB) to release us from mediation so that we can exercise our right to strike, if necessary, to protect our rights and to secure a new collective bargaining agreement that continues to protect two-person crews. Election results come in to play in this situation when you consider that the majority of Board Members at NMB — who will decide our fate — are appointees of President Trump.



President Pierce addresses members at the BLET's regional meeting in Monterey, Calif., on June 19, 2018.

The NMB works under the auspices of the White House, and in my message published in March, I challenged President Trump to live up to his campaign promises to help working class Americans by allowing us to take the legal actions necessary to reach an agreement acceptable to the W&LE membership. While the outcome of this situation is still unfolding, the Administration has not yet agreed with our request to seek self help.

With these two situations in mind, I now draw your attention to the Supreme Court's June 27 decision titled *Janus v. AFSCME*. The court ruled that public sector unions may not charge non-members mandatory fees (or agency fees) to cover the costs of collective bargaining and contract administration because, it

says, everything those unions do is political. In other words, the conservative majority of judges at the Supreme Court have legalized the right to "ride free." They endorsed a decidedly anti-union agenda — an agenda supported by corporations and the wealthiest one-percent designed to diminish the strength of the labor union movement, and, in the long run, to eliminate the right of public employees to negotiate over wages, benefits and other working conditions. The ruling overturns 40 years of judicial precedent. Again, this goes back to the theme that elections have consequences. The Supreme Court justices are appointed by the President and confirmed by the Senate. The election of pro-Big Business candidates to both offices has led to the appointment of an anti-union Supreme

Court, which has come back to hurt working class Americans in a big way.

While the *Janus* ruling is directed toward public-sector unions, make no mistake that this is the beginning of the battle, not the end. Efforts to extend the ruling to the private sector have already begun. Senate Bill 545 that would bring right to work for less to the Railway Labor Act currently has 28 Republican cosponsors. Like the *Janus* case, its goal is quite simple: defund the Union and then make it collapse under the weight of its representational responsibilities. I've said this before and I'll say it again: if the BLET goes away, then so will your union contract. And believe me, you do not want to work in this industry without a Union contract to protect you. You would become an at-will employee. Things like a seniority roster, paid vacation and health care are all at the whims of the employer when there is no Union contract. There would be no discipline appeals arbitration, no time claims, and wage increases would be at the carrier's discretion for whomever it wants to give them. Although I would like to think that all members understand the risks, my recent travels to meet with members in the field give me grave concern that not all members can see what these anti-worker politicians have in store for us if we allow them to continue to control the government.

As you will read on Page 1 of this issue, we are currently fighting to protect our members' jobs along the U.S./Mexican border. KCS is attempting to take away the work of BLET members employed at the Tex-Mex and give it to train crews from Mexico. The real issue here is that a huge, multi-national corporation is trying to take work that right-

fully belonging to BLET members, and give it to foreign nationals. The bad guys in this situation are not the underpaid and under qualified Mexican train crews. The real villains are the greedy owners at KCS who are actively trying to give your work away in the name of increased profits. Sadly, it has become clear that the Department of Transportation and the Federal Railroad Administration are actively assisting the KCS in its efforts to run foreign crews into the United States. This too is a consequence of the Presidential election, as those in charge of both DOT and FRA are political appointees.

The Tex-Mex workers have the advantage of a union — the BLET — standing up for their rights and fighting to protect their jobs. But without a union and without a union contract, that work would be given away without a fight. Without a union and without a union contract, there wouldn't be the fight to preserve two-person train crews at the W&LE. Elections have consequences, and although I know that not all members agree with my political views, we must agree that we have to elect politicians who will stand up for what we believe in and who will help us to protect our way of life, if we are to be successful.

Please join me this fall when we go to the polls in November. Help me to help you by electing candidates who are pro-labor and who will stand up for working class Americans. Help yourself by voting for candidates who will work with the BLET and all of rail labor to make our workplace safer and who will make sure that you continue to have a voice on the job.

DENNIS R. PIERCE
BLET NATIONAL PRESIDENT

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I've said this before and I'll say it again: if the BLET goes away, then so will your union contract. And believe me, you do not want to work in this industry without a Union contract to protect you. You would become an at-will employee. Things like a seniority roster, paid vacation and health care are all at the whims of the employer when there is no Union contract.

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BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Official communications between BLET members and the National Division require a hard copy of the correspondence, bearing a signature, being received by the National President to be considered an "official communication." This is to provide that the actual question(s) are addressed, and ensures that when official interpretations are made they have

reference to a specific request and can be used in future correspondence.

The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to the appropriate officer or staff for a timely

response; however, an e-mail message is not considered an official communication.

Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender's membership status will not receive any reply or acknowledgement. This policy is intended to allow the National

President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member's unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

ADOPTED AT CLEVELAND, OHIO ON JULY 22, 2010. ©©



GENERAL PRESIDENT'S MESSAGE BY JAMES P. HOFFA

THE PUBLIC BELIEVES IN THE POWER OF UNIONS

Some anti-worker advocates are trying to convince the public that the labor movement is unnecessary in today's world. But a survey conducted earlier this month by the Pew Research Center shows that this is wishful thinking on their part.

The poll found that 55 percent of Americans have a positive impression of unions. Additionally, they have a negative view of unions' reduced size in the workplace in the last two decades, with 51 percent saying it has been mostly bad for workers, compared to 35 percent who say it has been mostly good.

African Americans see unions' declining numbers the most negatively at 65 percent, followed by those with postgraduate degrees at 61 percent. When broken down by age, younger millennials in the 18-to-29 age group view the change most negatively, at 56 percent.

Even with the Supreme Court



case decision in *Janus v. AFSCME*, these results show that a majority of Americans see there is value in a union. Why is that? Well, for one, because unions pay more. The median union worker makes \$11,000 more a year than the median non-union worker. And that doesn't even begin to address issues such as health ben-

efits, which are better for those with union jobs.

Need proof? The U.S. Bureau of Labor Statistics last year unveiled numbers showing that 94 percent of private sector union workers have access of employer-provided health care benefits, compared to only 67 percent of non-union workers. Union mem-

bers also take greater advantage of such benefits, with 76 percent of them participating, compared to 48 percent of non-union workers. That equals an up-take rate of 81 percent of union workers compared to 72 percent of non-union workers.

The labor movement takes a stand for increased wages, raising

the standard of living for hard-working Americans, ensuring quality working conditions and better benefits for workers and their families. While the American workplace is changing, that cannot be used as an excuse to drop employees by the wayside all in the name of increased profits.

That's why workers came together in June as part of the Poor People's Campaign to stand up for their rights. Harnessing the power of the Rev. Martin Luther King Jr. 50 years after his tragic assassination, they know working Americans are going to get a raw deal if they don't stand up for themselves.

Despite the *Janus* ruling, anti-union forces should know that workers aren't quitting — not now and not ever.

Fraternally,

JAMES P. HOFFA
TEAMSTERS GENERAL
PRESIDENT

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The median union worker makes \$11,000 more a year than the median non-union worker. And that doesn't even begin to address issues such as health benefits, which are better for those with union jobs.

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BLET members ratify CN-IC contract

By a better than 2-to-1 margin, members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) ratified a new collective bargaining agreement with the Canadian National's former Illinois Central property on May 30, 2018.

The contract governs 475 locomotive engineers and runs through December 31, 2019. It provides retroactive pay beginning August 1, 2015, and 3 percent general wage increases on August 1 each year through 2019. The total of GWIs payable during the term of the agreement is 12.5%, resulting in a total compounded increase of 13.14%.

The CN-IC contract provides the same health and welfare plan as BLET members covered by the National Agreement, with monthly payments frozen at \$228.89. There are no work rule changes in the contract.

"In negotiations, we have defended our number one stance in not allowing

some form of use of management personnel to operate trains, which we demand exclusively as our work," General Chairman Clay E. Craddock said.

BLET National President Dennis R. Pierce thanked BLET members for participating in the balloting and ratification process. He also thanked the negotiating team of National Vice President Marcus J. Ruef, General Chairman Clay Craddock, and 1st Vice General Chairman W.D. (Billy) Evans for their efforts in bringing the round of negotiations to a successful conclusion.

"I thank our CN-IC Brothers and Sisters for being actively involved and participating in the process," President Pierce said. "I also thank Brother Craddock and his negotiating team for a job well done."

In 1998, the Canadian National Railroad absorbed the Illinois Central Railroad in a \$2.4 billion merger. CN-IC's major north-south route connects Chicago with Mobile, Ala., and New Orleans, La. @@



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The News Flash alerts are news articles from the BLET National Division

website that are automatically emailed to you.

To register online, just go to WWW.BLE-T.ORG/NEWSFLASH. On this page, you will find an area to enter your email address and click *subscribe* to be-

gin receiving the most current news from the BLET National Division.

It is a great way to keep informed on the most recent issues impacting your job, your contract and your Brotherhood.

BLET concludes Monterey regional meeting

On June 19, Approximately 200 members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and their families convened here for opening ceremonies of the BLET's first regional meeting of 2018.

BLET National President Dennis R. Pierce called the meeting to order. After presentation of the flags by members of the Salinas Police Department Honor Guard, Brother Gary R. Pedigo, Chairman of the BLET's Texas State Legislative Board, delivered the invocation. Brother Pedigo is a member of BLET Division 177 (Denison, Texas).

President Pierce then welcomed all members, families and guests to Monterey. He introduced members of the BLET Advisory Board who were in attendance, and thanked National Vice President Jim Louis, Special Representative Matt Kronyak and Special Representative Jason Wright for their work in managing and organizing the regional meeting. President Pierce also recognized and thanked the regional meeting arrangements committee members who provided local support: J. C. Boatman, retired member of Division 553 (Calwa City, Calif.); Michael J. Brogno, member of Division 664 (San Luis Obispo, Calif.); Anthony O. Langel, member of Division 664 (San Luis Obispo, Calif.); and Edward A. Trujillo, retired member of BLET Division 383 (Fort Mohave, Ariz.).

President Pierce delivered remarks regarding the benefits that BLET members enjoy thanks to their union membership, such as work rules, a seniority system, Railroad Retirement, the Occupational Disability system, Health and Welfare, and the Federal Employers' Liability Act (FELA). He also warned that such benefits are under attack due to the anti-worker, anti-union movement in Washington, D.C.

"We face a fight like none of us have ever experienced," President Pierce warned. "And it won't happen in a single, winner-take-all battle. Instead, years of



Members of the Salinas Police Department Honor Guard present the flags during opening ceremonies at the BLET's Monterey Regional Meeting on June 19, 2018.

attacks on labor, some hidden in seemingly harmless legislation, lie ahead. That means we need all hands on deck, and we need to educate our membership exactly how stark are the risks we face if we don't mount an historic defense."

He challenged all BLET members to do their part to help end these attacks on working class Americans.

"I need your help to spread the word, and the help of every BLET member who is willing to pitch in and do their part," he said. "To stop the anti-worker movement in the legislative halls across the country, we must seek out and elect politicians who will work for working class Americans. To restore this nation, we must elect politicians who are not afraid to say the word UNION and support us in our efforts. We will have a chance this fall to do just that; we must not let this opportunity pass without an all-out effort to change government from one that works for the bosses to one that works for those doing the work day in and day out."

Sereena Hogan, National President of the BLET Auxiliary, was the day's second speaker. She introduced the Auxiliary National officers who were in attendance: National 1st Vice President Susie Burrola, 2nd Vice President & National Legislative Representative Kathleen Bisbikis, and Alternate National Treasurer Jodi

Wallace. She discussed the importance of the BLET and BLET Auxiliary working together and thanked everyone in the BLET for their support of the Auxiliary's Scholarship Fund Program.

The next guest speaker was BLET National Vice President Cole Davis, who is retiring later this year. Vice President Davis delivered a message of solidarity and the need for members to become involved with the Brotherhood. "We are the union," he said. "We can't exist or function without each and every member. When I retire, the union will go on. Our union is only as good as you want it to be. We have to fight today or lose tomorrow. As coach Jim Valvano said, 'Don't give up. Don't ever give up.'"

After Vice President Davis's speech, President Pierce led BLET members in a moment of silence for all BLET members who have been killed in the line of duty since 1989. All their names were shown in a solemn video presentation.

The morning's keynote speaker was Rep. Grace F. Napolitano, who represents California's 32nd District. Rep. Napolitano is a member of the U.S. House Committee on Transportation & Infrastructure, where she currently serves as the top Democrat on the Subcommittee on Water Resources and Environment.

Her comments focused on railroad

safety. She specifically discussed long trains, two-person train crews, Positive Train Control (PTC), rail worker fatigue, and training standards. She also touched upon infrastructure in general and the importance of organized labor and livable wages.

Rep. Napolitano is a co-sponsor of the BLET's two-person crew bill, H.R. 233. "The Safe Freight Act" would mandate two-person train crews on freight trains — one certified locomotive engineer and one certified conductor.

Geri Clark, Assistant to U.S. Railroad Retirement Board Labor Member Walt Barrows, was the next guest speaker. She talked about the strength of the Railroad Retirement system, which is secure with an almost \$27 billion Investment Trust Fund.

John Hermann, Assistant Director for Area 8 of the National Association of Retired and Veteran Railway Employees (NARVRE), was the next guest speaker. Hermann explained how NARVRE dedicates itself to protecting railroad workers' pensions and the Railroad Retirement system.

The final guest speaker of the morning was BLET National Vice President Gil Gore, who also is retiring at the end of the year. He delivered a message of unity, and stressed the importance of educating our members to help turn the tide of anti-union sentiments in the U.S.

The afternoon session included a closed meeting for BLET members and an open meeting hosted by the BLET Auxiliary. Members took advantage of educational opportunities throughout the remainder of the week. Workshops featured specialized training for BLET Legislative Representatives, Secretary-Treasurers and Local Chairmen.

The 2018 Monterey regional meeting concluded with a banquet on the evening of Thursday, June 21. The BLET's second 2018 regional meeting will be held August 13-17 in Washington, D.C. More specific information about the Washington, D.C. regional is available at: [@](http://www.ble-t.org/regional)



BLET TO HOST LOCAL CHAIRMAN TRAINING IN NOVEMBER

The BLET Education and Training Department will host a Local Chairman training class from November 11-15, 2018, at the BLET National Division headquarters and Training Center in Independence, Ohio. The class is designed to help Local Chairmen develop and hone the skills necessary to provide the best representation possible to our members. Due to the upcoming triennial elections and the convention, the November class will be the only class for Local Chairmen in 2018.

The week-long course will begin with an orientation and overview session at 4 p.m. on Sunday afternoon, November 11. Full-day classes will run from Monday through Thursday. The class will conclude with a casual banquet on Thursday evening, November 15, 2018. Hotel check-out and travel day is on Friday, November 16. Registration to attend must be submitted by October 22, 2018. Those wishing to attend must register online through the BLET website: www.ble-t.org/lc. If you had applied for the April class, you will not need to reregister.

The Education and Training Department asks that you bring your portable computer to class with you on the day of orientation. Ideally, you should bring whatever portable technology you typically use to perform your duties, whether it be a laptop, Mac, tablet, iPad, or whatever your machine of choice. Before your arrival, find out if your machine has Wi-Fi capabilities. If your machine is not Wi-Fi compatible, then please contact Jason Wright, Director of the BLET Education and Training Department, to let him know in advance so he can make arrangements.

Class space is limited so don't delay in registering for your spot. The class is open to all Local Chairmen and Vice Local Chairmen with their Local Chairman's consent. The Training Center is located at the BLET National Division headquarters (7061 East Pleasant Valley Road, Independence, Ohio 44131).

Among other topics, this class will cover BLET organizational structure and functions, representation of members at disciplinary and decertification hearings, union leadership skills, claim and grievance handling, and writing and editing skills



- Additional course topics include:
- Negotiating Skills;
 - Railway Labor Act;
 - Section 3 and 6 Notices;
 - Arbitration;
 - Basic understanding of the Railway Labor Act; and
 - Appeal and letter writing.

Those who successfully complete the course will qualify for a \$93 per day stipend from the North American Railway Foundation (www.nar-foundation.org). Depending on the class, the stipends will be paid directly to the Secretary-Treasurer of the Division, Division President, General Committee of Adjustment, or State Legislative Board.

The North American Railway Foundation (NARF) is a non-profit operating foundation formed by the Brotherhood's Relief and Compensation Fund (BR&CF) to support rail history, education, safety and technology in the United States and Canada. With initial funding and continued Board of Directors stewardship coming from the BR&CF, NARF has supported many non-political projects throughout the United States and Canada. The primary focus of these efforts has been in support of or-

ganized rail labor — giving back to all of the men and women of the railroad community across North America.

Attendees must register for this LC Class no later than October 22, 2018 through the BLET website at: www.ble-t.org/lc.

BLET members who attend are responsible for their transportation costs to and from Independence as well as their room and board. The hotel provides transportation to and from the airport and the BLET will provide transportation between the headquarters and the hotel. Participants will be provided with instructions on how to make room reservations after registering for the class through the BLET website. When planning out the cost of your trip, please contact Jason Wright by email wright@ble-t.org to get an idea of what additional items are covered such as meals, etc.

Again, registration for the Local Chairman class is on a first-come, first-served basis and space is limited. For more information, please contact Jason Wright, Special Representative and Director of the BLET Education and Training Department: office, (216) 241-2630 ext. 247; cell, (216) 296-4447; or email wright@ble-t.org. ©©



TEXAS MEXICAN RAILWAY CONTRACT

CONTINUED FROM PAGE 1

communications, extraterritorial operations, and the control of alcohol and drug usage by operating employees. BLET also showed how the plan would expressly violate the terms of a 10½-year-old FRA waiver governing locomotive, freight car and air brake inspections at the border.

Further, BLET counsel rebutted the Carriers' minor dispute claim in two ways. First, the Union pointed out, the Carriers' "minor dispute" argument was frivolous because its cornerstone was a 9 mile retreat from the border of the applicability of the RLA by turning the work of BLET members over to a Mexican railroad that is not a "carrier" under the RLA, to be operated by crews who are not "employees" under the RLA, under the guise of U.S. RLA-based National Agreements to which the Mexican railroad was not a party.

The Union also demonstrated that the Carriers' claim that it was "moving" the interchange point was nothing more than an attempt to evade STB jurisdiction over trackage rights agreements.

These facts, BLET Counsel argued, proved that this is not a dispute over the relocation of an interchange point between two railroads, but the subcontracting of American jobs by an Amer-



ican railroad to a Mexican employer of Mexican nationals.

Despite all this evidence, the Court accepted the railroads' argument that the dispute over foreign nationals taking the work of American citizens was a minor dispute. The judge further required the Union to notify all of its members that they could not strike if and when KCS implemented its plan.

Commenting on the ruling, BLET National President Dennis R. Pierce said, "First, I want to commend our Officers and Members on the Tex Mex for their solidarity since this dispute began. Although the Union has complied with all of the Judge's orders, I am still convinced that our dispute with Tex Mex is a major dispute and we are currently examining all avenues of appeal.

"This fight is far from over," Pierce

added. "The loss of American jobs to foreign workers is nothing new from corporate America, but this blatant job grab on America soil is something that all American workers should find unacceptable. Promises were made to America's working class in the last election that their jobs would be protected by the current Administration. We will take this fight to every venue we can, including to the White House if need be, and we will be asking all Union members to join us in that outreach when we do."

A copy of the Judge's decision can be found at http://www.ble-t.org/pr/pdf/KCS_v_BLET.pdf, and the Union letter mandated by the court can be found at http://www.ble-t.org/pr/pdf/Tex_Mex_Letter.pdf. Further news regarding this dispute will be provided as developments warrant. ©©

RRB Q&A: Railroad Retirement age reductions

Railroad retirement benefits are subject to reduction if an employee with less than 30 years of service retires before attaining full retirement age. While employees with less than 30 years of service may still retire at age 62, the age at which full retirement benefits are payable has been gradually increasing since the year 2000, the same as for social security.

The following questions and answers explain how these early retirement age reductions are applied to railroad retirement annuities.

1 What is the full retirement age for employees with less than 30 years of service, and is it the same for employees covered under social security?

Full retirement age, the earliest age at which a person can begin receiving railroad retirement benefits without any reduction for early retirement, ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later, the same as for social security.

2 How are the changes in the maximum age reduction being phased in?

Since 2000, the age requirements for some unreduced railroad retirement benefits have been rising just like the social security requirements. For employees with less than 30 years of service and their spouses, full retirement age increases from 65 to 66, and from 66 to 67, at the rate of two months per year over two separate six-year periods. This also affects how reduced benefits are computed for early retirement.

The gradual increase in full retirement age from age 65 to age 66 affects those people who were born in the years 1938 through 1942. The full retirement age will remain age 66 for people born in the years 1943 through 1954. The gradual increase in full retirement age from age 66 to age 67 affects those who were born in the years 1955 through 1959. For people who were born in 1960 or later the full retirement age will be age 67.

3 How does this affect the early retirement age reductions applied to the annuities of those who retire before full retirement age?

The early retirement annuity reductions applied to annuities awarded before full retirement age are increasing. For employees retiring between age 62 and full retirement age with less than 30 years of service, the maximum reduction will be 30 percent by the year 2022. Prior to 2000, the maximum reduction was 20 percent.

Age reductions are applied separately to the tier I and tier II components of an annuity. The tier I reduction is 1/180 for each of the first 36 months the employee is under full retirement age when his or her annuity begins and 1/240 for each additional month (if any). This will result in a gradual increase in the reduction at age 62 to 30 percent for an employee once the age 67 retirement age is in effect.

These same reductions apply to the tier II component of the annuity. How-

ever, if an employee had any creditable railroad service before August 12, 1983, the retirement age for tier II purposes will remain 65, and the tier II benefit will not be reduced beyond 20 percent.

A chart at the link above shows how the gradual increase in full retirement age will affect employees.

4 What are some examples of how this will affect the amounts payable to employees retiring before full retirement age with less than 30 years of service?

Take the example of an employee born on February 2, 1956, who retires in 2018 at the age of 62. In terms of today's dollars and current benefit levels, not counting future increases in creditable earnings, assume this employee is eligible for monthly tier I and tier II benefits, before age reductions, of \$1,200 and \$800, respectively, for a total monthly benefit of \$2,000.

Upon retirement at age 62, the employee's tier I benefit would be reduced by 26.667 percent, the maximum age reduction applicable in 2018. This would yield a tier I monthly benefit of \$880; the employee's tier II benefit would also be reduced by 26.667 percent, providing a tier II amount of \$586.66 and a total monthly rate of \$1,466.66. However, if the employee had any railroad service before August 12, 1983, the tier II benefit would be subject to a maximum reduction of only 20 percent, providing a tier II amount of \$640, and a total monthly rate of \$1,520.

As a second example, take an employee born on June 2, 1960, and also eligible for monthly tier I and tier II benefits, before age reductions, of \$1,200 and \$800, respectively, for a total monthly benefit of \$2,000. This employee retires in 2022 at age 62 with no service before August 12, 1983. Consequently, a 30 percent reduction is applied to both the tier I and tier II benefits and the net total annuity would be \$1,400.

5 How are railroad retirement spouse benefits affected by this change?

If an employee retiring with less than 30 years of service is age 62, the employee's spouse is also eligible for an annuity the first full month the spouse is age 62. Early retirement reductions are applied to the spouse annuity if the spouse retires prior to full retirement age. Beginning in the year 2000, full retirement age for a spouse gradually began to rise to age 67, just as for an employee, depending on the year of birth. While reduced spouse benefits are still payable at age 62, the maximum reduction will be 35 percent by the year 2022. However, if an employee had any creditable railroad service prior to August 12, 1983, the increased age reduction is applied only to the tier I portion of the spouse's benefit. The maximum reduction in tier II, in this case, would only be 25 percent, as under prior law.

A chart at the link above shows how this will affect the spouses of railroad employees if the employee retires with less than 30 years of service.

6 What are some examples of how this will affect the amounts payable to the spouses of employees retiring before full retirement age with less than 30 years of service?

Take for an example the spouse of a railroader with less than 30 years of service, none of it prior to August 12, 1983, who was born on April 2, 1960, and is retiring in 2022 at age 62, with a spouse annuity, in terms of today's dollars and current benefit payments and before any reductions for age, of \$1,000 a month. With the maximum reduction of 35 percent applicable in 2022, the net monthly benefit would be \$650.

As a second example, if the same spouse had been born on April 2, 1956, and was retiring in 2018 at age 62, with the maximum age reduction of 31.667 percent, the net monthly benefit would be \$683.33.

7 Are age reductions applied to employee disability annuities?

Employee annuities based on disability are not subject to age reductions except for employees with less than 10 years of service, but who have 5 years of service after 1995. Such employees may qualify for a tier I benefit before retirement age based on total disability, but only if they have a disability insured status (also called a disability freeze) under Social Security Act rules, counting both railroad retirement and social security-covered earnings. Unlike with a 10-year employee, a tier II benefit is not payable in these disability cases until the employee attains age 62. And, the employee's tier II benefit will be reduced for early retirement in the same manner as the tier II benefit of an employee who retired at age 62 with less than 30 years of service.

8 Do these changes also affect survivor benefits?

Yes. The eligibility age for a full widow(er)'s annuity is also gradually rising from age 65 for those born before 1940 to age 67 for those born in 1962 or later. A widow(er), surviving divorced spouse, or remarried widow(er) whose annuity begins at full retirement age or later will generally receive an annuity unreduced for early retirement. However, if the deceased employee received an annuity that was reduced for early retirement, a reduction would be applied to the tier I amount payable to the widow(er), surviving divorced spouse, or remarried widow(er). The maximum age reductions will range from 17.1 percent to 20.36 percent, depending on the widow(er)'s date of birth. (These age reductions apply to both tier I and tier II.) For a surviving divorced spouse, or remarried widow(er), the maximum age reduction is 28.5 percent. For a disabled widow(er), disabled surviving divorced spouse, or disabled remarried widow(er), the maximum reduction is also 28.5 percent, even if the annuity begins at age 50.

9 Does the increase in full retirement age affect the age at which a person becomes eligible for Medicare benefits?

No. Although the age requirements for some unreduced railroad retire-

ment benefits have risen just like the social security requirements, beneficiaries are still eligible for Medicare at age 65.

10 Do these increases in full retirement age also apply to the earnings limitations and work deductions governing benefit payments to annuitants who work after retirement?

Like social security benefits, railroad retirement tier I 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 limitations and work deductions apply to all age and service annuitants and spouses under full retirement age regardless of the employee's years of service. Although employees retiring at age 60 with 30 years of service have no age reduction, these earnings limitations and work deductions still apply until they reach their full retirement age. These earnings limitations also apply to survivor annuitants, with the exception of disabled widow(er)s under age 60 and disabled children.

Likewise, while special earnings restrictions apply to employees entitled to disability annuities, these disability earnings restrictions cease upon a disabled employee annuitant's attainment of full retirement age. This transition is effective no earlier than full retirement age even if the annuitant had 30 years of railroad service.

The additional deductions applied to the annuities of retired employees and spouses who work for their last pre-retirement nonrailroad employer continue to apply after the attainment of full retirement age.

11 How can individuals get more information about railroad retirement annuities and their eligibility requirements?

Persons can find publications, news releases, and other materials related to railroad retirement benefits under Benefits (Retirement) <https://rrb.gov/Benefits>. Persons can also contact an RRB field office for more information. Field Office Locator <https://www.rrb.gov/Field-Office-Locator> provides easy access to any field office web page where the street address and other service information is posted, as well as the option to contact the office directly by using the feature labeled send a secure message. The agency's toll-free number (1-877-772-5772) is equipped with an automated menu offering a variety of service options which include finding the street address for a local field office, hearing general information about benefits, and being transferred to an office to speak with a representative or leave a message. Most RRB offices are open to the public on weekdays from 9:00 a.m. to 3:30 p.m., except on Wednesdays when offices are open from 9:00 a.m. to 12:00 p.m. All RRB offices are closed on Federal holidays. ©

News Briefs

CANADIAN CRUDE BY RAIL SURGES TO HIGHEST LEVEL SINCE 2014

Canadian crude oil is hitting the rails at levels not seen since 2014, according to new data from the National Energy Board (NEB). Approximately 170,600 bbls/d was exported from Canada by rail in March, the NEB said. That's up from 134,075 bbls/d in February and it's the highest since December 2014, when Canadian crude by rail averaged 175,654 bbls/d. According to the NEB's data, which goes back to January 2012, activity peaked in September 2014 at 178,989 bbls/d.

NEW REPORT SUGGESTS LIRR, NJ TRANSIT AND METRO-NORTH SHOULD BE COMBINED INTO ONE RAIL SYSTEM

Merging the Long Island Rail Road with the New York region's other commuter rail systems is vital to supporting growth and improving access to jobs in the tristate area, according to a new report published in April 2018. The report from the nonprofit Regional Plan Association (RPA) details an ambitious, 30-year proposal to join the LIRR with Metro-North and New Jersey Transit, bringing crosstown rail service from New Jersey through Long Island and, eventually adding 60 new stations and more than 200 new or reactivated track miles for a new rail system called the "Trans-Regional Express," or T-REX for short. RPA estimates the costs to be at \$71.4 billion, or \$2.4 billion per year if the

plan could actually be built out in 30 years. The three railroads combined offer 390 stations and over 2,000 miles of track, making it the nation's largest and widest reaching commuter rail system. Marrying them together, the report said, would be the last step of a three-phase approach to creating the T-REX. The full report can be found at www.rpa.org.

SABOTAGE DANGERS SURGE AS MEXICAN FREIGHT TRAINS INCREASINGLY FALL PREY TO BANDITS

Freight train robbers in Mexico are increasingly blocking tracks or loosening rails to stop trains and steal the contents, causing increasing danger. The federal rail agency said Monday the number of cargo thefts increased from 532 in the last quarter of 2017 to 561 in the first quarter of 2018. While that's only a 5 percent increase, thieves are using more dangerous ways to stop the trains.

In the past they often triggered the brakes on freight cars or uncoupled them. But in the first quarter, thieves blocked tracks with rocks or vehicles over 250 times, a 42 percent increase over the fourth quarter. And they loosened or stole rail clips or other pieces of track 222 times, almost triple the fourth quarter total. That has led to train derailments in some cases. The thieves target bulk goods like grain and cement, as well as appliances, auto parts and other consumer goods.

(From the Associated Press.) @@

Amtrak Service Workers Council denounces dining car service cuts

From a Transport Workers Union, UNITE-HERE, TCU-IAM press release.

The Amtrak Service Workers Council (ASWC) denounces Amtrak's plan to cut dining car service from the Lake Shore Limited and Capitol Limited routes, beginning Friday June 1. We pledge to do everything in our power to preserve these jobs and the unique Amtrak dining experience. With as little as nine-day notice, seven chefs represented by the Transport Workers Union of America received furlough letters, giving them a little more than a week to make a major life decision. The move also threatens jobs and pensions from coast-to-coast.

Due to this sudden decision, our members will be forced out of work, and some will be faced with the difficult decision of whether to uproot their lives, to relocate and exercise their seniority to replace ASWC members working other routes. For example, there are ASWC members with 30 years of service living on the east coast who may be forced to move to Seattle or Chicago just to complete the career they started decades ago. Therefore, it is certain that closing dining cars on these routes will have immediate and

ripple effects on Amtrak workers across the country, not only those employed on the Lake Shore Limited and Capitol Limited lines.

Adding salt to the wound, Amtrak's offer of "contemporary and fresh dining choices" for sleeping car customers is nothing more than a cold snack in a cardboard box being delivered to passengers in their rooms. Riders are paying close to \$1,000 a ticket, only to be fed yogurt and sandwiches? We have been told by our members that passengers already are expressing their dissatisfaction with the upcoming service and meal plan changes.

Our members are on the frontlines, and they know that passengers view the current dining service as part of the experience of riding a train through the country along a long-distance route. Our members are proud to provide this service and care about its quality because they understand that it contributes to passengers' experience. Maintaining the current high-quality service is important to attracting passengers to Amtrak, and it's central to our members' livelihoods.

We demand Amtrak President Richard Anderson reverse his decision and stops these cuts. @@



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6/18

Photo of the Month: June 2018



OFFICE CAR SPECIAL: Norfolk Southern Office Car Special heads east by CP Port in Newport, Pa., passing a historic Pennsylvania Railroad signal. **Photo:** by Brother Erik S. Reinert, a member of BLET Division 74 in Harrisburg, Pa.



Are you a photographer? The National Division's Public Relations Department, which produces the Newsletter each month, has received numerous inquiries lately from BLET members volunteering to contribute their

images to the "Photo of the Month" section of the Newsletter. If you'd like to submit a photo for consideration, you may call Editor John Bentley at (216) 241-2630, ext. 248, or you can email: Bentley@ble-t.org.

Please note only high resolution images can be used. Members are also encouraged to review their employer's policies regarding the use of cameras and other electronic devices while on duty.

Advisory Board May 2018 Activity

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

NATIONAL PRESIDENT DENNIS R. PIERCE: National Division Office, Independence, Ohio; General supervision of BLET activities; General office duties; Correspondence and telephone communications; Supervision of Office Administration; General Supervision of Special Representatives; President, Teamsters Rail Conference; Policy Committee, Teamsters Rail Conference; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; BLET Missouri State Legislative Board mtg., Jefferson City, Mo.; BLET Western General Chairmen's Assoc. mtg., Las Vegas; IBT General Executive Board mtg., Las Vegas; IBT Unity Conference, Las Vegas.

FIRST VICE PRESIDENT E.L. (LEE) PRUITT: National Duties include but not limited to: Short-line Organizing Dept.; Trainmen's Dept.; National Publications Committee; National Legislative Board; Teamsters Rail Conference Policy Committee; PRAC; and National Negotiations; National duties, Independence, Ohio; General office duties, telephone, email, correspondence communications, etc.; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Missouri State Legislative Board mtg., Jefferson City, Mo.; Western General Chairmen's Assoc. mtg., Las Vegas; Holiday.

NATIONAL SECRETARY-TREASURER STEPHEN J. BRUNO: General supervision of Accounting Dept., Record Dept., Online Services Dept., Tax Compliance Dept.; Safety Task Force; PAC and FEC reports and filings; Implementation and training for BLET membership database/Union Track; Pension, STD, 457 plan Trustee; Division, General Committee and SLB monthly Trustee reports; Mtgs. with vendors and financial institutions; Union Track issues, testing, status updates, etc.; Triennial election planning and oversight issues; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Western General Chairmen's Assoc. mtg., Las Vegas;

VICE PRESIDENT & NATIONAL LEGISLATIVE REPRESENTATIVE JOHN P. TOLMAN: Assigned to BLET Washington, DC office; General office duties, telephone and correspondence communications; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Western General Chairmen's Assoc. mtg., Las Vegas; Missouri State Legislative Board mtg., Jefferson City, Mo.; Nominations hearing w/ U.S. Sen. John Thune (R-SD), chairman of the Senate Committee on Commerce, Science and Transportation & Full Committee, Washington, D.C.; RAILxTECH mtg., Washington, D.C.; Mtgs. w/ candidates for Governor and Congress, Washington, D.C.; Various mtgs. w/ U.S. Senators working on our rail issues; Numerous receptions and office visits with members of Congress and the leadership of both the GOP and Democratic parties, Washington, D.C.

VICE PRESIDENT MARCUS J. RUEF: Vice Chairman, National Railroad Adjustment Board (NRAB); National Mediation Board (NMB) Arb. Adv. Forum; Department Head, BLET Arbitration Department; Assigned to Illinois Central, Wisconsin Central, CN-Cedar River, Indiana Harbor Belt, Illinois Rwy., Belt Railway of Chicago, METRA, GRR, and Union Railroad; Vacation; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Assist 3rd Div. LM Bragg w/ discipline issues; Review notices of intent at NRAB; Assist GC Bangham w/ TA review, URR, Chicago; Circular 1-88, NRAB, Chicago; GCA conference call on TA, WC, Chicago; Review proposed awards PLB 7154, IC, CP, Chicago; Assist GC Reynolds w/ TA draft and synopsis, WC, Chicago; Adopt PLB 7154 (IC) and 7627 (CP) awards, Chicago; Holiday; WC Section 6 talks, assist GC Reynolds, Green Bay.

VICE PRESIDENT MIKE TWOMBLY: Assigned to all Union Pacific GCAs (Eastern District, Northern Region (former C&NW), Western Lines (Pacific Harbor Lines), Western Region (Portland & Western), Central Region, Southern Region; Tacoma Belt RR, Utah RR, Longview

Portland & Northern NO & Longview Switch, Portland Terminal; On duty at home office; General office duties, telephone, email, correspondence communications, etc.; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Western General Chairmen's Assoc. mtg., Las Vegas.

VICE PRESIDENT GIL GORE: Assigned to all CSX; Grand Trunk Western; Union Pacific-Southern Region GCA special assignment; Dispute Resolution Committee (DRC) issues, CSXT; General office duties, paperwork, correspondence, emails, telephone calls, etc.; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Western General Chairmen's Assoc. mtg., Las Vegas; South Buffalo RR negotiations; CSXT and GTW paperwork; PLB 7655, 18-20 cases, Atlanta; Assist GC Lyons w/ PLB, Atlanta.

VICE PRESIDENT MICHAEL D. PRIESTER: Assigned to all BNSF (former ATSF, former C&S, CRI&P, FWD, former STL-SF, BNSF/MRL), Panhandle Northern, Missouri & North Arkansas, Montana Rail Link, Great Western; General office duties, telephone, email, correspondence communications, etc.; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Western General Chairmen's Assoc. mtg., Las Vegas; MRL contract negotiations, assist GC LaPrath, Missoula, Mont.

VICE PRESIDENT COLE W. DAVIS: Assigned to: Kansas City Southern (MidSouth Rail, SouthRail, Gateway Western, Illinois & Midland), KCS-Louisiana Arkansas Rwy., Texas Mexican Rwy.; CP Rail System/US Soo Line (Indiana Southern, Iowa, Chicago & Eastern, Dakota, Minnesota & Eastern); Springfield Terminal (St. Lawrence & Atlantic, Delaware & Hudson), New York, Susquehanna & Western (Connecticut Southern, New England Central), Louisville & Indiana, Huron & Eastern, Wheeling & Lake Erie Rwy.; General office duties, telephone, email, correspondence communications, etc.; DM&E and CP issues, assist GC Semenek; Soo Line contract issues, assist GC Semenek; Mid South and I&M issues, assist GC Craddock; W&LE mediation/arbitration, assist GC Fannon, Chicago; D&H and Springfield Terminal issues, assist GC Moore; Tex Mex issues, assist GC Heise; KCS issues, assist GC Spradlin; Louisville & Indiana issues, assist GC Hogan; WLE issues, assist GC Fannon; Division 599 mtgs. w/ GC Spradlin, Shreveport, MS; Advisory Board and Rail Conference mtgs., Las Vegas.

VICE PRESIDENT R.C. (RICK) GIBBONS: Assigned to: All Norfolk Southern General Committees (Northern, Eastern and Southern Lines); Chicago, Fort Wayne & Eastern; Indiana & Ohio; RSAC/RSIA Fatigue Management Group; General office duties, telephone, email, correspondence communications; Vice President duties; On duty at home office; Teamsters Rail Conference convention, Las Vegas; BLET Advisory Board mtg., Las Vegas; Western General Chairmen's Assoc. mtg., Las Vegas; CFER mediation, assist GC Dehart, Chicago; PLB 7574, 7668 and 7663, assist GCs Wallace, Dehart and Fannon, Norfolk, Va.; Holiday.

VICE PRESIDENT JAMES P. LOUIS: Assigned Amtrak; Long Island Rail Road; New York & Atlantic; Metro-North; New Jersey Transit; PATH; SEPTA; Western New York & Pennsylvania Rwy.; National Division Department Head, Education & Training Dept.; National Division Department Head, Internal Organizing, Mobilizing & Strategic Planning Dept.; Union Track mtgs. and training; Education & Training issues; BLET Regional Meeting planning; BLET National Convention planning; PLB 7739, Conrail GCA; LIRR issues, assist GC Sexton; SEPTA issues, assist GC Hill; WNY&P investigation and GCA issues, Meadville; MBCR contract talks, assist GC Kenny, Boston; SEPTA contract talks, assist GC Hill; NY&A contract talks, assist GC Sexton; Advisory Board and Rail Conference mtgs., Las Vegas.

Bill would make assaulting train crew members a federal offense

On the one-year anniversary of the shooting of an Amtrak conductor in Naperville, Democratic Sen. Tammy Duckworth of Illinois on May 16 introduced a bipartisan bill that would make assault or intimidation of passenger rail crew members a federal offense, which could lead to tougher penalties.

The bill, co-sponsored by Sen. John Hoeven, a North Dakota Republican, would provide the same federal protections to passenger rail engineers, conductors and other on-board service personnel as are provided to airline crew

members, said a news release from Duckworth's office. Currently, any assault against a rail crew member is handled under the laws of the local jurisdiction where the crime is committed.

The bill, called the Passenger Rail Crew Protection Parity Act, is being introduced one year after the shooting of Michael Case at the Naperville train station. Case, who suffered extensive internal injuries and spent 10 weeks in the hospital, was one of 73 victims of recorded assaults on Amtrak crew members since 2015, Duckworth's office said.

The man who shot Case, Edward Klein, 80, formerly of West Allis, Wis., was charged with attempted murder but found to be unfit for trial after exhibiting signs of dementia and committed to a private facility in suburban Milwaukee. Case, 46, has said that he and his family supported the way the incident was resolved.

Having assaults adjudicated under federal law would mean that penalties would be tougher and more consistent across county and state lines, according to Duckworth's office. (From the *Chicago Tribune*) @