

THE LOCOMOTIVE ENGINEER NEWSLETTER • AUGUST 2000

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Will carriers get richer?

Amendment to H.R. 4844 would yield another windfall to railroads

A deal originally intended to provide early retirement and other benefit improvements to railroad workers just keeps getting sweeter and sweeter.

Sweeter for their employers, that is.

The nation's major carriers could receive a windfall of up to \$170 million per year under an amendment to H.R. 4844, the bill to provide tax and benefit changes to the Railroad Retirement Act.

This \$170 million windfall is in addition to the \$430 million per year they would receive from the original wording of H.R. 4844. In other words, if H.R. 4844 were passed into law today, the carriers would reap savings of more than a half billion dollars per year (\$600 million to be exact).

"This bill is turning into the gift that keeps on giving, but only for the railroad industry," said BLE International President Edward Dubroski.

The amendment to H.R. 4844, passed by a voice vote in the U.S. House Ways & Means Committee on July 25, would cut the current 4.4 cent tax on diesel fuel used by railroads to just 0.1 cents per gallon. Early estimates predict this would save the carriers up to \$170 million per year.

In addition, an agreement between the carriers and 11 railroad unions, which is the basis for H.R. 4844, proposed reductions in carrier contributions to the industry's pension plan, which is known as Tier II. These proposed reductions would provide the carriers with a net sav-

ings of more than \$400 million per year.

The 4.3 cents per gallon tax on diesel fuel was originally used to help pay off the national debt. Now that the United States has a budget surplus, the Class I carriers and the nation's shortline industry were debating over how money raised from the diesel fuel tax should be used.

Class I carriers have invested in larger railcars that hold more tonnage than ever before. Shortline carriers need to upgrade their track infrastructure in order to safely handle these heavier loads. Over the objections of the Class I carriers and rail labor, the shortlines were lobbying to gain control of the extra tax money to help reach the same track standards as Class I carriers. •

TTD votes to mobilize team of political activists

International President Edward Dubroski led the BLE delegation at the AFL-CIO Transportation Trades Department's (TTD) 10th Anniversary Convention, July 20-21 at the Capital Hilton Hotel in Washington, D.C.

Delegates to the convention agreed July 20 to mobilize a permanent force of political activists who will continue working between national elections to "promote an agenda to create jobs, improve safety and strengthen job security for millions of American transportation workers," said Transport Workers and TTD President Sonny Hall.

Speaking to the delegates July 21, Vice President Al Gore said he will make workers' issues a key part of his agenda if he is elected President.

President Dubroski sits on the TTD's Finance Committee and is the chairman of the Leg-



In his role as Chairman of the TTD Legislative Activist Committee, BLE International President Edward Dubroski addresses the 270 delegates attending the TTD's 10th anniversary convention.

islative Activist Committee. He addressed the convention delegates in his capacity as chairman.

In addition to Vice President Gore, other distinguished political and labor leaders who addressed the 270 TTD del-

egates included:

John Sweeney, AFL-CIO

See TTD Convention, Page 6

BLE argues against remote control locomotives at FRA conference

The Federal Railroad Administration (FRA) held a Technical Conference on Remote Control Locomotives on July 19, 2000. The conference was attended by over 75 representatives of the railroad industry, rail labor and industry suppliers. The rail labor contingent was comprised of representatives of the Brotherhood of Locomotive Engineers

(BLE), the Brotherhood of Railroad Signalmen (BRS) and the United Transportation Union (UTU). United Steelworkers of America representative Frank Grimes also attended the meeting, to provide details on numerous accidents, including fatalities, connected with the use of remote control in steel plants.

In opening remarks, the UTU informed the conference of the agreement between the operating craft unions to maintain a single position, stating that "(b)ecause of the significance of this issue to the lives and safety of the people working in our industry, the UTU and BLE are here today united and speaking with one voice. We are

here today as one group to actively participate in development of a proposal on substantive provisions designed to ensure the safety of employees represented by both unions, and to limit the use of remote control to those operations currently existing."

See Remote Control, Page 8

LEGISLATIVE UPDATE

DC Feedback: Noise levels inside the cab

Do you have a question about federal laws, Federal Railroad Administration rules that impact your job, or about pending legislation governing our industry? Send it to:

D.C. Feedback, Brotherhood of Locomotive Engineers
 10 G. Street N.E., Suite 480
 Washington, DC 20002

Or you can fax your questions to (202) 347-5237; or via e-mail to: bledc@aol.com.

If the BLE's National Legislative Office does not have the answer on hand (such as a federal interpretation), they'll get back to you as soon as possible. Select questions and answers will be published regularly in the pages of the *Locomotive Engineer Newsletter*.

This month's installment of DC Feedback deals with noise levels inside locomotive cabs.

Dear Sir and Brother:

You have asked if the metal tag attached to the wall in the locomotive cab is a measurement of noise inside the cab.

The answer is no.

The measurements that are taken and placed on the badgeplate or tag are actually taken from outside the cab of the locomotive to fulfill requirements established by the Noise Control Act of 1972, required by the Environmental Protection Agency (EPA) and enforced by the Federal Railroad Administration (FRA). These measurements are not related to the levels of sound inside the cab.

The requirements for posting the information can be found in §49 CFR Part 210.27, they include:

"New locomotive certification.

"(a) A railroad shall not operate a locomotive built after December 31, 1979, unless the locomotive has been certified to be in compliance with the Standards.

"(b) The certification prescribed in this section shall be determined for each locomotive model, by either:

"(1) Load cell testing in accordance with the criteria prescribed in the Standards; or

"(2) Passby testing in accordance with the criteria prescribed in the Standards.

"(c) If passby testing is used under paragraph (b)(2) of this section, it shall be conducted with the locomotive operating at maximum rated horsepower output.

"(d) Each new locomotive certified under this section shall be identified by a permanent badge or tag attached in the cab of the locomotive near the location of the inspection Form F 6180.49. The badge or tag shall state:

"(1) Whether a load cell or passby test was used;

"(2) The date and location of the test; and

"(3) The A-weighted sound level reading in decibels obtained during the passby test, or the readings obtained at idle throttle setting and maximum throttle setting during a load cell test."

The regulation prescribes minimum compliance requirements for en-

BLE making tracks on the campaign trail



BLE Vice-President & U.S. National Legislative Representative Leroy D. Jones recently met with U.S. Senate candidate Hillary Rodham Clinton at a Democratic fund-raiser in Washington D.C. Brother Jones has met with several other candidates and stresses to BLE members the importance of supporting labor-friendly candidates for the House and Senate.

Foreground, from left: Hillary Rodham Clinton, Democratic candidate for the U.S. Senate in New York; Sherrye Jones; and Leroy D. Jones, BLE Vice-President & U.S. National Legislative Representative. Background, from left: Ande Abbott, Boilermakers Legislative Director; and Luckie McClintock, Plumbers & Pipefitters Legislative Director.

forcement of the Railroad Noise Emission Standards established by the Environmental Protection Agency in 40 CFR Part 201 and with some exceptions applies to:

"the total sound emitted by moving rail cars and locomotives (including the sound produced by refrigeration and air conditioning units that are an integral element of such equipment), active retarders, switcher locomotives, car coupling operations, and load cell test stands, operated by a railroad as defined in 45 U.S.C. 22, under the conditions described in this part and in 40 CFR part 201."

The provisions do not apply to steam locomotives; street, suburban, or interurban electric railways unless operated as a part of the general railroad system of transportation; sound emitted by warning devices, such as horns, whistles, or bells when operated for the purpose of safety; special purpose equipment that may be located on or operated from rail cars; inert retarders, and locomotives (turbine powered) that cannot be connected by any standard method to a load cell.

The regulation prescribes that:

"(A)ny railroad that uses railroad equipment that is noise defective or engages in a car coupling operating that results in excessive noise according to the criteria established in this part and in the Standards is responsible for compliance with this part. Subject to §210.9, such railroad shall —

"(a) Correct the noise defect;

"(b) Remove the noise defective railroad equipment from service; or

"(c) Modify the car coupling procedure to bring it within the prescribed noise limits."

The regulation further describes the requirements for movement of noise defective locomotives and equipment; waiver processes; inspection and testing; measurement criteria and procedures; penalties, and procedures for certification that the locomotive meets the required Standards.

The actual limits of noise generated by the railroad can be found in the Appendix A of Part 210. The science of noise and the information in the Appendix is not easily described. Generally speaking, a stationary locomotive manufactured after 1979 should emit sound levels below 70 dB (A weighted sound) when at idle, as measured 100 feet from the source. Noise levels measured at the same distance for all other throttle settings should not exceed 87 dB while stationary and 90 dB while moving. There are other requirements for locomotives manufactured before 1979, switcher locomotives, yard equipment and facilities, moving rail cars, and car couplings, retarders, and load cell tests.

The requirements for locomotive cab noise are found in §49 CFR Part 229.121. The permissible limits are determined by a formula that considers level of sound, established and measurable sound characteristics, and assessed on the basis of exposure that is an eight-hour time-weighted average (TWA).

The noise level measurement in the locomotive cab is made "under typical operating conditions." The instruments used may be a sound level meter that

conforms to a standard or an accurate and equally precise audiosimeter. The sound level measurements are to be made with a sound level meter where:

"(T)he microphone shall be oriented vertically and positioned approximately 15 centimeters from and on axis with the crew member's ear. Measurements with an audiosimeter shall be conducted in accordance with manufacturer's procedures as to microphone placement and orientation."

According to the "Locomotive Crashworthiness and Cab Working Conditions Report to Congress," FRA found that approximately one-third of a total of 69 locomotive engineers that were measured for sound exposure had TWA's (time weighted averages) above 87dB. One fourth of 216 measured locomotives had in-cab TWAs greater than 87dB. The actual noise dose is determined by a scientifically established formula. There can be sound levels in a locomotive cab far in excess of 87dB, particularly when the windows are open and the train horn is sounded, air brakes are vented into the cab, or when the radio volume is high. Long tours of duty, under noisy conditions, can expose locomotive engineers to noise levels above a threshold where hearing loss occurs. The threshold is generally accepted as 85dBA.

It's unfortunate that the only reference to noise associated with a locomotive has nothing to do with sounds inside the cab. This information may help you to understand what the badgeplate does and does not address and encourage you to wear hearing protection. •

Unemployment and sickness benefits under RRB

A new benefit year under the Railroad Unemployment Insurance Act began July 1, 2000. 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, 2000?

Almost all employees will qualify for the new maximum daily benefit rate of \$48, which increased from \$46 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 \$480 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 \$2,425 in calendar year 1999, not counting more than \$970 for any month. Those who were first employed in the rail industry in 1999 must also have at least five months of creditable railroad service in 1999.

Under certain conditions, employees with 120 or more months of railroad service who do not qualify on the basis of their 1999 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, 2000, 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 \$2,512.50 in 2000, not counting earnings of more than \$1,005 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 1999, not counting earnings of more than \$1,253 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 unem-

ployment 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 period 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-and-engine 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 2000 the test amount is \$970, 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 ap-

plication 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 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 sickness 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 through 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 toll-free RRB Help Line at 1-800-808-0772. 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 and benefit payments need a Personal Identification Number (PIN), which is printed on the back of each claim form.

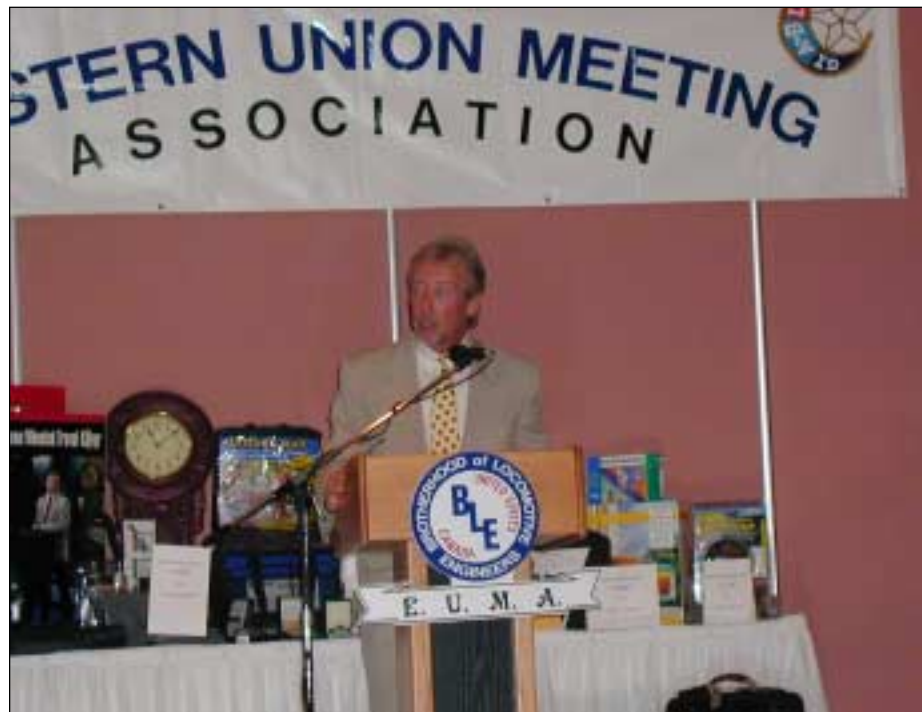
In addition, information on benefit requirements, customer service standards, field office locations, and other topics can be accessed through the Board's Web site. •



EASTERN UNION MEETING ASSOCIATION



International President Edward Dubroski.



Eastern Union Meeting Association Chairman (and Amtrak General Chairman) Mark Kenny.



From left: Long Island Rail Road General Chairman Bob Evers; EUMA Arrangements Chairman and Division 421 Local Chairman Jack Murphy; Illinois State Legislative Board Chairman C. Edward Way; International Vice-President Ed Rodzwick; Division 11 (New York City) Legislative Representative Mike Gannon; Division 127 (North White Plains, NY) Legislative Representative Fred Kelly; New Jersey Transit General Chairman Bob Vallochi; Division 74 (Harrisburg-Enola, Pa.) Local Chairman John Rupp; International President Ed Dubroski; and EUMA Secretary-Treasurer Gary Brink.



From left: Gen Dubroski, GIA Member-At-Large and wife of International President Dubroski, helps Pat Murphy with the raffle. Mrs. Murphy is wife of EUMA Arrangements Chairman Jack Murphy.

Members can make early bird reservations for 2001 conventions

Formal announcements have already been issued for two of next year's BLE regional meetings.

The 74th annual Southeastern Meeting Association's convention will be held in Pine Mountain, Ga., at Callaway Gardens, from June 24-28, 2001.

Chairman W.J. Spriggs Jr. and members of BLE Division 779 (Manchester, Ga.) are hosting the event. For more details, members can contact Brother Spriggs at: (706) 989-0064.

In addition, the 61st annual International Western Convention will be May 30-June 2 in Denver, Colo.

Chairman Skip Colyer encourages

all BLE members to head West for the "Mile High" convention, which will be held at the Hyatt-Regency Tech Center.

Members can make reservations now by calling (800) 233-1234, but make sure to ask for the BLE room rate. Discount rates of \$105 per night are guaranteed three days before and after the convention, but reservations must be made before May 6, 2001.

Tentative plans include a golf tournament, tours of the Denver Mint, Denver Botanical Gardens, and a barbeque at the Colorado Railroad Museum.

Members with questions can contact Brother Colyer via telephone at (970) 224-9716; or via fax at (970) 223-5794. •



Front row, from left: Indiana Harbor Belt General Chairman Ron Pasquarella; International Vice-President Richard K. Radek; BLE Division 96 (Chicago) Vice-Local Chairman Dave Hilligoss; and Division 404 (Chicago) President Doug Morgan.

Back row, from left: Division 404 Alternate Legislative Representative Rex Hauser; Division 404 Legislative Representative Tom Horvath; Illinois State Legislative Board Chairman Ed Way; and Division 404 (Chicago) Local Chairman Paul Fessenbecker.

Nominations for division officers begin in September; election in December

As outlined in Section 7(a) of the BLE Constitution & Bylaws (page 64), nominations for division officers will be held at the first regular meeting in September.

The Secretary-Treasurer of each division will post a notice stating the date, time and location of the September meeting (the notice may also be

mailed). A member may be nominated for office whether he/she is at the meeting or not, but he/she must be a member in good standing at the time of nomination.

The election of officers will be held at the first division meeting in December. Another notice will be posted stating the date, time and location of this meet-

ing. At least 15 days before the meeting, the S-T will mail the printed ballot along with envelopes to each division member. After voting, the ballot can be mailed to the post office box for the division.

The ballots will be counted at the December division meeting.

General Chairman Marv Mitchell dies of heart attack

BLE General Chairman M.A. "Marv" Mitchell died suddenly of a heart attack on Friday, August 4, in Elk Grove, Calif.

Brother Mitchell, 53, was recently re-elected General Chairman of the Union Pacific Western Region. A BLE member since 1974, he belonged to Division 800 (Portola, Calif.).

A memorial service was held on Wednesday, August 9, in Stockton, Calif. He is survived by two daughters.

Family and friends request that in lieu of flowers, donations be made to the American Heart Association, Stockton Chapter; or Guide Dogs for the

Blind, P.O. Box 151200, San Rafael, CA, 94915-1200; or to a charity that is meaningful to the donor.

"We are deeply saddened by the unexpected passing of Brother Mitchell," said BLE President Edward Dubroski. "Marv provided many years of dedicated service to our Brotherhood. He will be missed."



Brother Mitchell

Brother Mitchell will be remembered as one of several key witnesses in hearings before the National Mediation Board in July of 1999. His testimony helped the BLE protect the crafts of locomotive engineer and conductor from extinction.

More recently, Brother Mitchell was appointed by BLE International President Edward Dubroski to serve on a joint committee to explore closer ties between the BLE and the Transport Workers Union (TWU), the Brotherhood of Maintenance of Way Employees (BMWE) and the American Train Dispatchers (ATDD).

Tim Donnigan of BLE Division 228 (Pocatello, ID), who was elected First Vice-Chairman of the UP Western Region General Committee in June, succeeds Mitchell as General Chairman. Jim Dayton has been elevated to the position of First Vice Chairman.

"The integrity and style he brought with him in everything he did for the BLE are attributes few men possess," said Donnigan, who knew Mitchell for 15 years. "I can only hope that our memory of him will inspire us and set an example of how we should act towards others as well as raise the caliber of our work." •

ID officers address Illinois Central General Committee meeting



The Illinois Central General Committee of Adjustment held its Quadrennial meeting on April 3-4 at the Grand Casino Terrace Hotel in Robinsonville, Miss. General Chairman Koonce reports that International President Edward Dubroski, First Vice-President Jim McCoy and Vice-President Richard K. Radek addressed the delegates.

Seated, from left: M.D. Whitechurch (Div. 24); S.D. Ritter (Div. 114); W.M. Carlton, III (Div. 914); First Vice-President Jim McCoy; J.R. Koonce (General Chairman); International President Edward Dubroski; E.L. Hayden (retired VP); Karen Brasfield (Secretary to GC); J.M. Hunt Sr. (Div. 762); and R.F. Smithson (Div. 508). Middle row, from left: R.E. Widdon (Div. 552); J.D. Wright (Div. 315); A.G. Rapp (Div. 602); R.W. Marshall Jr. (Div. 10); J.A. Whitacker (Div. 23); W.J. Leith (Div. 131); A.L. Tinney (Div. 152); B.C. Jourdan (Div. 593); B.B. Harry Jr. (Div. 450); C.E. Way (BLE Illinois State Legislative Chairman); and O.L. Smith (Div. 827). Back row, from left: A.L. Irby (Div. 203); J.L. Dickerson (Div. 196); J.W. Jackson (Div. 109); R.P. King (Div. 118); C.W. Lynch (Div. 8); G.N. Lamb (Div. 225); J.R. Wood (Div. 99); R.D. Johns (Div. 577); A.R. Aycock (Div. 326); and M.W. Walters (Div. 512).

Gilchrist, Slater, Wetsch and Torgerson to head Montana Legislative Board



Members of the BLE Montana State Legislative Board after their quadrennial meeting in July. Lower row, from left: Randy Smith, Division 262 (Missoula); Craig Gilchrist, Division 298 (Glasgow); Bill Wilson, Division 504 (Great Falls); D.C. Wetsch, Division 195 (Forsyth); and C.J. Erhardt, Division 180 (Glendive).

Upper row, from left: Steve Manaras, Division 392 (Havre); Paul Slater, Division 232 (Laurel); and Dave Torgerson, Division 499 (Whitefish).

Delegates and members of the BLE's Montana State Legislative Board held their quadrennial meeting from June 21-22 in Billings, Mont.

The Board considered a number of matters and elected officers for four-year terms. Elected at the meeting were:

- Craig Gilchrist (Division 298), Chairman;
- Paul Slater (Division 232), Vice Chairman;
- D.C. Wetsch (Division 195), Secretary-Treasurer; and
- Dave Torgerson (Division 499), Alternate Secretary-Treasurer.

The BLE convention immediately preceded the Montana state AFL-CIO convention which the BLE members also attended.

"The meeting was very productive, with all members contributing to the work and the agenda before the Board," said Chairman Gilchrist.

"We combined several educational

programs along with matters of old and new business including consideration of a number of resolutions and the endorsement by the Board of political candidates in the current election cycle. This made for a well rounded and a very useful meeting."

"The participation by our BLE members in the state AFL-CIO convention was time well spent, they had an opportunity to meet other people in the trade union movement," Brother Gilchrist continued.

"In this way, others can come to know the problems that face rail workers and it helps create broader solidarity in the labor movement."

The steam locomotive in the photo to the left, Northern Pacific No. 1031, is now on permanent display at the Yellowstone County Museum in Billings, Mont.

It is a hand-fired switcher locomotive that saw service in Glendive, Mont., where BLE Division 180 is located. •

BLE NEWS

BLE delegation attends TTD convention

TTD Convention

Continued from Page 1

President; Richard Trumka, AFL-CIO Secretary-Treasurer; James Hoffa, Teamsters President and Chairman of the Convention Host Committee; Sonny Hall, TTD President; Tom Daschle (D-SD), Senate Minority Leader; Rep. Don Young (R-AK); Richard Gephardt (D-MO), House Minority Leader; Rodney Slater, Secretary of Transportation; and Rep. James Oberstar (D-

MN), recipient of the TTD's "10th Anniversary Congressional Award."

The theme of the convention, "A Bold Voice — A Decade of Action," reflects transportation labor's strong reach into the American economy and marks the TTD's 10th year of service.

Through the TTD, the transportation arm of the 13 million member AFL-CIO, working families represented by the department's 30 member unions have a strong, national voice in Washington. •



Left row, front to back: Ohio State Legislative Board Chairman Bill O'Brien; Kentucky State Legislative Board Chairman Tommy Mayne; UP General Chairman Lee Pruitt; West Virginia State Legislative Board Chairman Darrell Blake; and Wisconsin State Legislative Board Chairman Keith Luebke.

Middle row, front to back: International President Ed Dubroski; California State Legislative Board Chairman Tim Smith; Montana State Legislative Board Chairman Craig Gilchrist; and CSX General Chairman Tony Smith.

Right row, front to back: BNSF General Chairman Merle Geiger; Grand Trunk Western General Chairman John Karakian; Texas State Legislative Board Chairman Raymond Holmes; and Long Island Rail Road General Chairman Bob Evers.



Secretary of Transportation Rodney Slater, center, meets with International President Ed Dubroski, left, and BLE Vice-President & U.S. National Legislative Representative Leroy D. Jones, right.



From left: CSX General Chairman Tony Smith; International President Edward Dubroski; Texas State Legislative Board Chairman Raymond Holmes (background); Union Pacific General Chairman Lee Pruitt; and California State Legislative Board Chairman Tim Smith.



From left: TTD Chairman Sonny Hall, who is also President of the Transport Workers Union of America; BLE President Dubroski; and LIRR General Chairman Evers.



President Dubroski addressing TTD delegates.



Members of the BLE delegation meet with Deputy Secretary of Transportation Mort Downey, center, white beard. From left: GTW General Chairman John Karakian; CSX General Chairman Smith; UP General Chairman Pruitt; Mort Downey; BNSF General Chairman Geiger; International President Dubroski; LIRR General Chairman Evers; and Vice-President Jones.

BLE welcomes new members

Membership in the Brotherhood of Locomotive Engineers is growing to numbers not seen in decades as North America's oldest railroad labor union welcomes a new and diversified membership.

In the past year, the BLE has initiated nearly 3,500 new members — an average of 290 per month — to bring overall membership to more than 59,500. This unprecedented growth streak is due in large part to the BLE's active recruitment of conductors and trainmen.

Members of two newly chartered divisions — Division 218 (Laredo, Texas) and Division 244 (Laredo, Texas) — are the pioneering Brothers and Sisters who have blazed a trail for other trainmen to follow.

Division 218 represents a first in BLE history — it is a BLE division chartered exclusively to trainmen. Division 244 (from the Texas-Mexican Railway) is also unique in that it gives the BLE a train & engine service employee presence for the first time in history.

Division 218 — Union Pacific

"We worked long and hard at this and we are extremely proud to be the first-ever BLE Trainmen's Division," said Shane Lewis, local chairman of Division 218 (Union Pacific).

The recruitment of trainmen members can be traced to Jan. 12, 1998, when the United Transportation Union filed an application with the National Mediation Board to eliminate all operating craft lines. BLE members certainly remember their fight to protect the craft of locomotive engineer, but there was also a rebellion among UTU

members to save the other operating crafts threatened by UTU's application to the NMB.

Hundreds, if not thousands, of UTU members became disillusioned with the path of destruction UTU leaders had taken. Many, like the Brothers and Sisters who eventually formed Division 218 in Laredo, turned to the BLE for relief.

"We do not agree with many of the UTU's recent actions," Lewis said. "We could not continue to support an organization that has lost touch with its membership."

The final straw came on March 15, 2000, when the UTU dropped out of the AFL-CIO. "This could not have happened without the hard work and devotion of so many people," Lewis said. "There are a few people that I'd like to personally thank, the first being Mr. Gus Meza. He has shared his many years of experience and helped guide all of us along the way. We must give thanks to Mr. Joe Martinez for always giving selflessly when a need surfaced."

Brother Meza is now president of Division 218 while Brother Martinez is the vice-president. In addition, John Witt is the Secretary/Treasurer, Dionicio Cruz the Legislative Representative, Jeffrey S. Akeroyd and Carlos G. Gonzalez are the Vice Local Chairmen, and Enrique Rendon is the Assistance Secretary-Treasurer.

"I am proud to recognize all new trainmen members and welcome them to the Brotherhood of Locomotive Engineers," said BLE International President Edward Dubroski.

As a symbol of the BLE's commitment to trainmen, Brother Lewis has been elected vice-general chairman of



From left: Elijah Graham of Division 22 (El Paso); Shane Lewis of Division 218 (Laredo); and President Edward Dubroski.

the UP-Western Region General Committee of Adjustment. The GCofA by-laws expressly state this position is responsible for handling trainmen issues.

"This shows how our organization is taking (these issues) seriously and is creating a structure to address trainmen needs," Lewis said.

Division 244 — Tex Mex Railway

The BLE also welcomes the members of newly chartered Division 244 from the Tex Mex Railway. These brothers give the BLE a diversified membership as they represent the first "train and engine service employees" to belong to the BLE.

This combined-craft status was forced on the Tex Mex brothers by the National Mediation Board, at the request of the United Transportation Union. UTU requested the NMB issue such a ruling in an effort to thwart a BLE-sponsored representation election for the engineer's craft on the Tex Mex. Early estimates were that the BLE would win the election, and the combined craft issue was a last-ditch effort by the UTU to undermine the likely BLE victory.

Workers on the Tex Mex voiced their displeasure with the combined craft issue in a certified letter to UTU President Charles Little. "Your position that the lines of distinction between the craft of locomotive engineer and con-

ductor have become blurred to the point of extinction is totally without merit on the Tex Mex," the workers wrote.

Upon making the "train and engine service employee" classification an official craft, the NMB quashed the BLE's representation election attempt and suspended all such elections for a period of two years.

Disgruntled with UTU leadership, 22 Tex Mex workers submitted applications to the BLE and formed Division 244. These brothers were granted a charter and will represent their own General Committee of Adjustment as well. George Leyendecker will serve and General Chairman and Local Chairman.

Brother J.J. Vara is president, Arnold Salinas is Secretary-Treasurer, Rick Castilleja is Legislative Representative, and Terry Gill is the Vice Local Chairman.

Welcome, Brothers

"The hardships these new brothers suffered in their efforts to join the BLE will make our organization stronger," said President Dubroski. "Not only do they provide us with added strength in numbers, they give us an added strength of character."

"I believe I speak for all BLE members when I say their courage and determination is something to be admired. I am proud to welcome them to the BLE and to call them Brother." •



Members of BLE Division 218 (Laredo) pictured here are Charley Gonzalez, vice-local chairman; Donny Cruz, legislative representative; Bear Bennett; Raul Abrego; Shane Lewis, local chairman & UP vice-general chairman; and Wicho Gonzalez.



More members of Division 218 (Laredo) at a recent meeting are, foreground: Donny Cruz, legislative representative; Charley Gonzalez, vice-local chairman; Raul Abrego; Wicho Gonzalez; and "General" Piendon. Pictured in the background is: Joe Cascio, vice-local chairman of BLE Division 307 (San Antonio); John Witt, secretary-treasurer of Division 218; Rene Gonzalez; Nate Eglesias; and Joe Martinez.



Members and officers of BLE Division 244 (Tex Mex) proudly display their new charter with representatives of the BLE International Division who helped organize the Tex Mex property.

Seated, from left: ID Special Representative Tommy Miller; Division 244 Member Hector Tijerina; and Division 244 Member Danny Gustamante.

Standing, from left: Tex Mex General Chairman George Leyendecker; International Vice-President William C. Walpert; Division 244 President J.J. Vara; International Vice-President Ed Rodzwick; and Division 244 Member Arnold Salinas.

A telephone call to the BLE International by General Chairman Leyendecker was the first step in the process that led the Tex Mex workers into BLE membership.

BLE NEWS

Unions join forces to fight use of remote controls

Remote Control

Continued from Page 1

Each union provided witnesses with experience operating remote control locomotives (RCLs). Their testimony provided serious challenges to any railroad implementing those operations. Among the issues were the ergonomic risk factors associated with a locomotive controller, carried around the waist, while also performing dangerous work on railroad equipment. There are known physical problems caused by static loads on the body. Safety concerns increase when a locomotive controller that is safety-critical in train movement is the object being carried. Concern was expressed over exposure to the emission of electromagnetic fields (EMFs) from the transmitter.

Despite assurances from the promoters of remote control and the railroads who praised RCL use as the next big step in improving productivity, labor was not persuaded that any of our safety questions were satisfactorily answered. The data offered by the American Short Line and Regional Rail Association, among others, was vehemently disputed by the BLE/UTU contingent. Actual data provided by the unions contradicted the sparse and highly selective presentation made on the carriers' behalf.

A frequent argument, and a flawed premise in the promoter's accident data, is the claim that no accidents were the result of the technology or the equipment. That is like saying cars don't cause car wrecks... people do. Both unions argued that RCL use

changes work processes, and that these changes increase the risk of accidents and injury.

A common theme among the promoters was that RCL is safer because it puts the person at the point of the movement in the position to control it. Yet, labor finds that after implementation, point protection typically is sacrificed for the sake of improved efficiency. Similarly, operations have increased risk by permitting or requiring the riding of equipment while simultaneously carrying or operating the locomotive from a remote controller.

BRS forcefully opposed the impact RCL use may have on Roadway Worker protection and protection for other workers provided through the "Blue Signal" regulation. Speaking on behalf of the operating craft coalition, BLE argued "(t)he principle, established by both the present comprehensive regulatory fabric as well as real world operating practices is that, for safety's sake, you must have localized on-board control of the movement of locomotives in an identifiable and predictable place so as to control it in coordinating the work of many unrelated crafts."

The rail labor coalition agreed that good communications among operating employees is what ensures protection of the movement, keeps everyone safe, and adds to efficiency.

USWA representative Frank Grimes issued a detailed report documenting worker injury and death caused by operation of remote control locomotives in the steel industry. His report is on the BLE website at: <http://www.ble.org/pr/newsletter/0800newsletter/rtctech.pdf> •

Congratulations to BLE Division 231!

The International Division of the Brotherhood of Locomotive Engineers recognizes BLE Division 231 (Philadelphia) for its 100 percent participation in the BLE-PAC.

All of the 39 members in this division (off the CSX) contribute to the BLE-PAC fund, which helps the BLE elect state and federal legislators who fight for improvements in the laws that protect locomotive engineers. The division was chartered on March 1, 2000.

The International Division thanks the officers of Division 231 for their efforts in recruiting members to participate in the BLE-PAC.

For details on how to become a BLE-PAC contributor, contact the BLE's National Legislative Office in Washington D.C. at (202) 347-7936 or via e-mail at: bledc@aol.com

Again congratulations to all the Brothers and Sisters of BLE Division 231 in Philadelphia! •

AUGUST 2000 CALENDAR & EVENTS

OCTOBER 6... Railroad Retirement Board Informational Conference in Philadelphia
The U.S. Railroad Retirement Board will conduct a free informational conference in Philadelphia, Pa. On-site registration begins at 8 a.m. with sessions starting promptly at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the Holiday Inn-Midtown, 1305 Walnut St. For more details, visit the RRB website at <http://www.rrb.gov>; or call the toll-free RRB Help Line at (800) 808-0772.

OCTOBER 6... Railroad Retirement Board Informational Conference in Harrisburg
The U.S. Railroad Retirement Board will conduct a free informational conference in Harrisburg, Pa. On-site registration begins at 8 a.m. with sessions starting at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the Wildwood Conference Center, Harrisburg Area Community College, One HACC Drive.

OCTOBER 13... Railroad Retirement Board Informational Conference in Fort Worth
The U.S. Railroad Retirement Board will conduct a free informational conference in Fort Worth, Texas. On-site registration begins at 8 a.m. with sessions starting promptly at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the Holiday Inn South, 100 Alta Mesa East Blvd.

OCTOBER 20... Railroad Retirement Board Informational Conference in Pittsburgh
The U.S. Railroad Retirement Board will conduct a free informational conference in Pittsburgh, Pa. On-site registration begins at 8 a.m. with sessions starting promptly at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the Holiday Inn-Greentree, 401 Holiday Drive.

MAY 30-JUNE 2, 2001... 61st Annual International Western Convention in Denver, Colo.
At the Hyatt-Regency Tech Center. See page 4 of this issue for details.

JUNE 24-28, 2001... 74th Southeastern Meeting Association in Pine Mountain, Ga.
At the Callaway Gardens resort. See page 4 of this issue for details.

Advisory Board July 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; Publications committee; National negotiations; Mtgs. w/ Special Representatives; Mtg. w/ Representative Franks (NJ); AFL-CIO TTD convention; Mtg. w/ Governor Pataki, NY; U.S. Representative Boehlert (NY); President & CEO Rich, Delaware Otsego Corp./New York, Susquehanna & Western Railway; National Association of State Legislative Board Chairmen's mtg.; Mtg. w/ Vice-President Cassidy, NYS&W Gen. Chair Baldwin and Loc. Chm.-Div. 521.

First Vice-President & Alternate President James L. McCoy—International Office. Assisted president supervising BLE activities; FVP duties, contacted GCs, SLBCs, telephone calls, correspondence, etc.; National Legislative Board, Niagara Falls; GCofA restructuring, UP Southern; MOP Upper Lines.

General Secretary-Treasurer Russ Bennett—International Office: Supervision of BLE Financial depts.; Records Dept.; BLE Job Bank; Publications Cmte., EUMA, Niagara Falls; Cooperstown Conference in Hershey, Pa., on behalf of President Dubroski; TTD convention, D.C.; NASLBC mtg., Niagara Falls.

Vice-President Paul T. Sorrow—General office duties; National wage/rules mtg.; Attended joint Division mtg., 498 and 598; Single agreement negotiations; Special Board of Adjustment 1063; NS Public Law Board; Assisted GTW committees in reviewing seniority rosters; Assisted CSX Western lines GCofA in resolving Main Stem II dispute and in negotiating settlement of ID Service dispute; Assisted CSX/NS and GTW committees in handling various issues.

Vice-President Joseph A. Cassidy Jr.—General office duties; EUMA, Niagara Falls; New York Susquehanna & Western; Prepare for contract negotiations; Mtg. w/ members of Div. 521; Study & paperwork; Metropolitan Transportation Authority; Elgin, Joliet & Eastern Rwy., mtg. w/ management & grievances; Mtg. w/ members of Div. 620; Mtg. w/ EJ&E GCofA; Metro North Commuter Railroad; Prepare Amtrak, Springfield Term. equity dispute; Mtg. w/ NYS&W GCofA; BLE International Division.

Vice-President & U.S. Nat'l Legislative Representative Leroy D. Jones—Washington D.C. Office; EUMA mtg.; Amtrak press briefing; HSGTA committee mtg.; Amtrak/MBTA hearing; Receptions, Cong. Gephardt (D-MO), Cong. Kaptur (D-OH), Cong. Franks (R-NJ), Hillary Rodham Clinton, U.S. Senate Candidate-NY, Mark O'Keefe and Carol Williams, candidates, Montana Governor/Lt. Governor; AFL-CIO adm. mtg.; TTD leg. mtg.; TTD/Rail Div. leg. mtg.; Congressional hearing on Locomotive Train Horns; FRA Technical Conf.-Remote controlled locomotives; Mark ups, Railroad Retirement Legislation; AFL-CIO meet & greet for Steve Danner, candidate (D-MO, 6th); TTD Convention; TTD Congressional reception; NASLBC mtg., Niagara Falls, Canada.

Vice-President William C. Walpert—ID Office; BLE Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; BLE Safety Task Force; Established new Div. 218, Laredo, Texas; Special Representative mtg.; Mtg. w/ Wheeling & Lake Erie operating employees, Brewster, Ohio; Mtg. w/ SEPTA GCofA officers, Philadelphia.

Vice-President Edward W. Rodziewicz—General office duties; EUMA, Niagara Falls; NS-Eastern Region, VGC W.A. Thompson, Imperial; Tex Mex RR, new BLE Division, Laredo; Assignment per President, Cleveland; Mtg. w/ W&LE local chairman & officers, Brewster, Ohio; South Buffalo Railway grievances; Allegheny Ludlum RR Section 6 notices; Mtg. w/ SEPTA GCofA officers, Philadelphia; Assignment per First Vice-President, Cleveland.

Vice-President Don M. Hahs—BNSF system including MRL, UP South & West, SP East & South, SSW, DLGW, Tacoma Belt, Pac Harbor Belt; General office duties; National wage/rule, Washington; Assist in closing SP East office in Houston; UP/St.L. PLB 6170 w/ G.C. Gore, Omaha; Portland Zone 2 & 3 negotiations, UP/SP merger, Reno, UP West.

Vice-President Richard K. Radek—International Office; BLE Decertification Helpline services; Director of Arbitration Dept; National Railroad Adjustment Board (NRAB); NRAB arbitration, various, Chicago; Wisconsin Central GCofA mtg., Green Bay; METRA general assistance; CC&P Section 6 mtgs.; METRA combined committees mtgs., PLB 6223 arbitration; Side letter 7, engineer trainer agrmnt., engineer shortage; Section 3 cmte., Wash. D.C.; Arbitration screening dkt., WC; BRC general assistance, contract negotiations; FRA Part 240.409 cases: EQAL 98-31, 98-38, 98-50 and 98-73.

Vice-President Dale McPherson—I&M Rail Link; CP Rail/SOO, UP East Lines; TRRA-St. Louis; Indiana Railroad Co.; M&NA; LP&N Longview; General office duties; CP/US contract negotiations, w/ G.C. M.D. Priester; Mtgs. w/ G.C. C.L. Roy, Indiana RR contract; UP Special Project-work/rest mtgs. w/ M.A. Young, Denver.

Vice-President & Canadian Director Gilles Hallé—Ottawa Office; Mtgs. w/ Div. 558 officers & M. Collet; Conference call, re: RCTC; Mtg. w/ J. Shields, J. Yach & B. Brunet; Conference calls re: CN Pension & P. Tellier; Mtgs. w/ R.J. Toole; Mtg. w/ J. Shields, T.G. Hucker & B. Brunet.

Vice-President & National Legislative Representative-Canada T. George Hucker—Ottawa Office; Canadian National Legislative Board; Mtg. w/ BMW, re: Int. Railway Safety Conference; Mtg. w/ Transport Canada/VIA Rail/CNR, re: TIBS; Field Ops. Master S&H Cmte. Mtg.; Mtg. w/ R. Rastrick & Mtg. w/ J. Clark, PC Party; Work Rest Task Force-AAR mtg.; BLE/CPR national life/LTD mtgs.; CPR, re: Emp. equity implementation & mtgs., re: Int. Railway Safety Conference w/ BMW & East Japanese Railway Union; FRA remote control hearing; State Legislative Board Chairmen's mtgs.; Mtg. w/ J. Wells, FRA Deputy Admin.; NARAP mtg.; Mtg. w/ Transport Canada CN/CP/VIA mtg. re: Rule 104.

Decertification Helpline

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